

IN RE: DEVELOPMENT PLAN HEARING and \* BEFORE THE  
 PETITION FOR SPECIAL HEARING - \*  
 (Whiteley Property) \* DEPUTY ZONING COMMISSIONER  
 N/S Gerting Road, between Wesley \*  
 Chapel Road & Sheppard Road \* OF BALTIMORE COUNTY  
 10th Election District \*  
 3rd Councilmanic District \* Case No. X-325 and 95-451-SPH

General German Aged People's \*  
 Home of Baltimore - Owner/Developer

\* \* \* \* \*

HEARING OFFICER'S OPINION AND DEVELOPMENT PLAN ORDER

This matter comes before this Hearing Officer for consideration of a development plan prepared by George W. Stephens, Jr. and Associates, Inc., for the proposed development of the subject property by General German Aged People's Home of Baltimore, Owner, with four (4) single family dwellings, in accordance with the development plan submitted, which was accepted into evidence as Developer's Exhibit 1. In addition to development plan approval, the Owners seek approval, pursuant to the Petition for Special Hearing, of a non-density transfer of two parcels to adjacent properties, in accordance with the site plan prepared by Gerhold, Cross and Etzel. The subject property consists of 237.785 acres, more or less, zoned R.C. 2 and is located on the northeast side of Gerting Road, northwest of Sheppard Road in the vicinity of Old York Road in Monkton.

Appearing at the public hearing required for this project were G. Scott Barhight and David Guilday, Attorneys at Law, representing the Owner/Developer, Rick Chadsey with George W. Stephens, Jr. & Associates, Inc., who prepared the development plan for this project, and Bruce Doak with Gerhold, Cross and Etzel, who prepared the site plan for the Petition for Special Hearing. Numerous representatives of the various Baltimore County reviewing agencies attended the hearing. No residents from the surrounding locale appeared.

ORDER RECEIVED FOR FILING

Date

By

MICROFILMED

As to the history of this project, the concept plan conference for this development was conducted on January 23, 1995. As required, a community input meeting was held on February 23, 1995 at the St. James Episcopal Church. Subsequently, a development plan was submitted and a conference held thereon on June 21, 1995. Following the submission of that plan, development plan comments were submitted by the appropriate agencies of Baltimore County and a revised development plan incorporating these comments was submitted at the hearing held before me on July 14, 1995.

At the preliminary stage of the public hearing before me, I am required to determine what, if any, agency issues or comments remain unresolved. Testimony and evidence received was that all issues raised within the comments submitted by the various Baltimore County reviewing agencies had been resolved and incorporated within the revised development plan. Based upon the uncontradicted testimony and the absence of any community participation, it appears that the development plan as submitted should be approved.

As to the Petition for Special Hearing, Mr. Bruce Doak, Professional Engineer, offered testimony concerning the non-density transfer of two parcels of property by the Owner/Developer to adjacent property owners. Testimony indicated that both transfers are for non-density purposes, only and will not result in any increase in density for either recipient. The first parcel consists of 35.92 acres highlighted in yellow on Petitioner's Exhibit 1 and is identified as Lot 1A thereon. This parcel is to be conveyed to John H. and Elizabeth M. Ensor, who own the adjacent 18.87 acres highlighted in orange on the plan. Upon completion of this transfer, the Ensors will own one contiguous parcel of land comprised of a gross area of 54.782 acres, more or less.

The second non-density parcel consists of 3.631 acres, more or less, highlighted in pink on Petitioner's Exhibit 1. This parcel is to be transferred to Daniel L. and Mary Claire Mari, who own the adjacent 12.000 acres highlighted in green on the plan. Upon completion of this transfer, the Mari property will consist of 15.631 acres total.

After due consideration of the testimony and evidence presented, it is clear that the spirit and intent of the R.C. 2 zoning regulations will be met and that the transfer of the two parcels in question is strictly for non-density purposes. The relief requested will not be detrimental to the surrounding locale and, thus, should be granted.

Therefore, pursuant to the zoning and development plan regulations of Baltimore County as contained within the B.C.Z.R. and Subtitle 26 of the Baltimore County Code, the advertising of the property and public hearing held thereon, the development plan shall be approved consistent with the comments contained herein and the restrictions set forth hereinafter. Further, the relief requested within the Petition for Special Hearing shall be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner and Hearing Officer for Baltimore County this 17<sup>th</sup> day of July, 1995 that the development plan for the Whiteley Property, identified herein as Developer's Exhibit 1, be and is hereby APPROVED; and,

IT IS FURTHER ORDERED that the Petition for Special Hearing to approve the non-density transfer of two parcels to adjacent properties, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

- 1) Pursuant to Section 502.2 of the B.C.Z.R., a new deed incorporating a reference to this case and the restrictions and conditions set forth herein shall be recorded among the Land Records of Baltimore County

ORDER RECEIVED FOR FILING

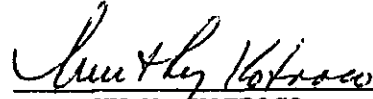
Date

By

COPIES OF THIS ORDER  
TO BE FURNISHED TO  
THE PETITIONER  
AND THE ADJACENT  
PROPERTY OWNERS

within sixty (60) days of the date of this Order and a copy of the recorded deed shall be forwarded to the Zoning Commissioner for inclusion in the case file.

Any appeal of this decision must be taken in accordance with Section 26-209 of the Baltimore County Code.



TIMOTHY M. KOTROCO  
Hearing Officer  
for Baltimore County

TMK:bjs

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning



Suite 112 Courthouse  
400 Washington Avenue  
Towson, MD 21204

(410) 887-4386

July 17, 1995

G. Scott Barhight, Esquire  
David Guilday, Esquire  
Whiteford, Taylor and Preston  
210 W. Pennsylvania Avenue, 4th Floor  
Towson, Maryland 21204

RE: DEVELOPMENT PLAN HEARING and PETITION FOR SPECIAL HEARING  
(Whiteley Property)  
N/S Gerting Road, between Wesley Chapel Road & Sheppard Road  
10th Election District - 3rd Councilmanic District  
General German Aged People's Home of Baltimore - Owner/Developer  
Case No. X-325 and 95-451-SPH

Dear Messrs. Barhight and Guilday:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Development Plan has been approved and the Petition for Special Hearing granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in cursive script, reading "Timothy Kotroco".

TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

TMK:bjs

cc: Mr. Sal J. Molite, Jr.  
800 Southerly Road, Towson, Md. 21204

Kurt Kugelberg, Proj.Mgr., PDM (fka as ZADM)

DEPRM; DPW; People's Counsel; Case File





# Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at

95-451-SPT  
N/S OF GERTING RD 9801/2, NORTH FROM  
OF SHEPARD RD,  
General German Aged People's Home of Baltimore

which is presently zoned RC-2

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

Non-density transfer of two (2) parcels to adjacent properties

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Hearing advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City

State

Zipcode

Legal Owner(s):

General German Aged People's Home of Baltimore

(Type or Print Name)

Signature

SAL J. MOLITE, JR.  
(Type or Print Name)

Signature

800 Southerly Road

Address

Phone No.

Towson, MD 21204

City

State

Zipcode

Name, Address and phone number of representative to be contacted.

G. Scott Barhight

Name

832-2050

210 W. Pennsylvania Ave, Towson, MD 21204

Address

Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates \_\_\_\_\_ Next Two Months

ALL \_\_\_\_\_ OTHER \_\_\_\_\_

REVIEWED BY: R.T. DATE 6/8/95

ITEM #446

Attorney for Petitioner.

G. Scott Barhight

(Type or Print Name)

Signature

210 W. Pennsylvania Ave, 4th Floor

Address

Phone No.

Towson, MD 21204

832-2050

City

State

Zipcode



MICROFILMED

Zoning Administration

Development Management

ORDER RECEIVED FOR FILING

Date

By

GORDON T. LANGDON  
EDWARD F. DEIACO-LOHR  
BRUCE E. DOAK

**GERHOLD, CROSS & ETZEL, LTD.**

*Registered Professional Land Surveyors*

SUITE 100  
320 EAST TOWSONTOWN BOULEVARD  
TOWSON, MARYLAND 21286-5318

410-823-4470  
FAX 410-823-4473

95-451-SP4

EMERITUS  
PAUL G. DOLLENBERG  
FRED H. DOLLENBERG  
CARL L. GERHOLD  
PHILIP K. CROSS  
OF COUNSEL  
JOHN F. ETZEL  
WILLIAM G. ULRICH

June 2, 1995

**Zoning Description  
237.785 Acre Parcel of Land**

All that piece or parcel of land situate, lying and being in the Tenth Election District of Baltimore County, State of Maryland and described as follows to wit:

Beginning for the same at a point in the center of Gerting Road, being 980 feet, more or less, along said center line of Gerting Road from the center line of Sheppard Road, thence running in the center of Gerting Road 1) North 38 degrees 52 minutes 48 seconds West 679.43 feet, thence leaving said road and running

- 2) North 21 degrees 59 minutes 19 seconds East 632.06 feet,
- 3) North 22 degrees 38 minutes 42 seconds East 190.27 feet,
- 4) North 12 degrees 14 minutes 49 seconds West 150.58 feet,
- 5) North 15 degrees 07 minutes 50 seconds East 296.29 feet,
- 6) South 89 degrees 37 minutes 17 seconds West 86.27 feet,
- 7) North 11 degrees 55 minutes 07 seconds West 706.01 feet,
- 8) North 27 degrees 43 minutes 09 seconds West 99.95 feet,
- 9) North 31 degrees 59 minutes 54 seconds West 192.09 feet,
- 10) North 25 degrees 53 minutes 45 seconds West 145.06 feet,
- 11) North 86 degrees 56 minutes 35 seconds West 403.07 feet,
- 12) South 14 degrees 40 minutes 27 seconds West 618.87 feet,
- 13) South 17 degrees 09 minutes 38 seconds West 381.97 feet,
- 14) South 86 degrees 47 minutes 42 seconds West 24.81 feet,
- 15) South 13 degrees 01 minute 12 seconds East 208.42 feet,
- 16) South 4 degrees 13 minutes 33 seconds West 569.48 feet to the center of

Gerting Road, thence running in the center of Gerting Road

- 17) North 84 degrees 58 minutes 31 seconds west 20.00 feet, thence leaving said road and running
- 18) North 4 degrees 13 minutes 33 seconds East 557.69 feet,
- 19) North 13 degrees 20 minutes 16 seconds West 217.83 feet,
- 20) South 86 degrees 32 minutes 26 seconds West 52.08 feet,

**GERHOLD, CROSS & ETZEL, LTD.***Registered Professional Land Surveyors*

June 2, 1995

**Zoning Description****237.785 Acre Parcel of Land**

- 21) North 43 degrees 36 minutes 35 seconds West 337.15 feet,
- 22) North 16 degrees 43 minutes 39 seconds West 230.17 feet,
- 23) North 16 degrees 43 minutes 39 seconds West 30.00 feet,
- 24) North 4 degrees 29 minutes 47 seconds West 535.27 feet,
- 25) South 89 degrees 27 minutes 00 seconds East 178.65 feet,
- 26) North 0 degrees 33 minutes 00 seconds East 759.86 feet,
- 27) North 89 degrees 27 minutes 00 seconds West 475.15 feet to the eastern right-of-way line of Whitely Road, thence binding on said right-of-way
- 28) Northwesterly with a line curving to the left with a radius of 50.00 feet and an arc distance of 40.00 feet (chord is North 17 degrees 56 minutes 36 seconds West 38.94 feet)
- 29) Northwesterly with a line curving to the right with a radius of 50.00 feet and an arc distance of 36.14 feet (chord is North 20 degrees 09 minutes 18 seconds West 35.36 feet) , thence leaving said right-of-way and running
- 30) South 89 degrees 27 minutes 00 seconds East 500.00 feet,
- 31) North 0 degrees 33 minutes 00 seconds East 809.12 feet,
- 32) North 28 degrees 09 minutes 21 seconds West 193.60 feet,
- 33) North 53 degrees 35 minutes 51 seconds East 514.77 feet,
- 34) South 16 degrees 51 minutes 43 seconds East 585.83 feet,
- 35) North 52 degrees 23 minutes 17 seconds East 206.25 feet,
- 36) South 44 degrees 44 minutes 25 seconds East 283.48 feet,
- 37) South 29 degrees 36 minutes 43 seconds East 567.44 feet,
- 38) North 45 degrees 06 minutes 13 seconds East 1794.86 feet,
- 39) South 41 degrees 11 minutes 25 seconds East 901.25 feet,
- 40) North 55 degrees 47 minutes 41 seconds East 480.44 feet,
- 41) South 4 degrees 07 minutes 54 seconds East 264.78 feet,
- 42) South 6 degrees 54 minutes 57 seconds West 911.49 feet,
- 43) South 82 degrees 50 minutes 02 seconds East 171.60 feet,
- 44) South 16 degrees 20 minutes 02 seconds East 316.80 feet,
- 45) South 48 degrees 09 minutes 58 seconds West 344.85 feet,
- 46) South 11 degrees 46 minutes 27 seconds West 866.19 feet,



GERHOLD, CROSS & ETZEL, LTD.

Registered Professional Land Surveyors

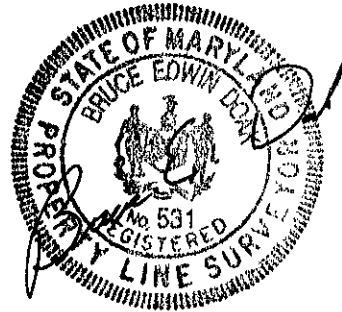
June 2, 1995

**Zoning Description**

**237.785 Acre Parcel of Land**

47) South 13 degrees 00 minutes 47 seconds West 990.15 feet,  
48) South 79 degrees 00 minutes 49 seconds West 306.55 feet,  
49) North 61 degrees 14 minutes 12 seconds West 381.70 feet,  
50) South 32 degrees 30 minutes 48 seconds West 1548.51 feet to the place of  
beginning. Containing 237 .785 Acres of land, more or less.

**This description is not for conveyance purposes and only fulfills the requirements of the Baltimore County Office of Zoning.**



**CERTIFICATE OF POSTING**  
**ZONING DEPARTMENT OF BALTIMORE COUNTY**  
Towson, Maryland

95-451-SPH

District 10A

Date of Posting 6/16/95

Posted for: Special Hearing

Petitioner: General German Aged People's Home of Balto

Location of property: N/S Gortney Rd., 980't N Shoppard Rd

Location of Signs: Facing road way on property being zoned

Remarks: \_\_\_\_\_

Posted by M. Kelly

Signature

Date of return: 6/23/95

Number of Signs: 1



### NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case: #95-451-SPH  
(Item 446)

N/S Gerling Road, 980'  
+/- N of c/o Sheppard Road  
10th Election District  
3rd Councilmanic  
Legal Owner(s):

General German Aged  
People's Home of Baltimore  
Hearing: Friday,  
July 14, 1995 at 9:00  
a.m. in Rm. 106, County Office Building.

**Special Hearing** to approve non-density transfer of 2 parcels to adjoining properties.

LAWRENCE E. SCHMIDT  
Zoning Commissioner for  
Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Call 887-3353.

(2) For information concerning the File and/or Hearing, Please Call 887-3391.  
6/274 June 22.

## CERTIFICATE OF PUBLICATION

TOWSON, MD.,

6/22, 1995

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 6/22, 1995.

THE JEFFERSONIAN,

*A. Henrichsen*

LEGAL AD. - TOWSON



Baltimore County  
Zoning Administration &  
Development Management  
111 West Chesapeake Avenue  
Towson, Maryland 21204

receipt

95-451-SPH

Account: R-001-6150

Number 446

K.T.

Date

6/8/95

GEN. GERMAN AGED PEOPLES  
HOME OF BALTO.

NE/S OF GERTING RD., 980± NORTH  
FRAM & OF SHEPPARD RD.

030 — SPH — \$ 50<sup>00</sup>

050 — SIGN — \$ 35<sup>00</sup>

TOTAL — \$ 85<sup>00</sup>

RECEIVED

02A0240012611300

\$85.00

BA 0002424006-08-95

Please Make Checks Payable To: Baltimore County

Cashier Validation

Baltimore County Government  
Office of Zoning Administration  
and Development Management



111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

**PAYMENT WILL BE MADE AS FOLLOWS:**

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

\_\_\_\_\_  
ARNOLD JABLON, DIRECTOR

-----  
For newspaper advertising:

Item No.: 446

Petitioner: GEN. GERMAN AGED PEOPLES HOME OF BALTO  
N/S OF GERTING RD., 980' ± NORTH FROM THE E  
Location: OF SHEPPARD RD

PLEASE FORWARD ADVERTISING BILL TO:

NAME: WHITEFORD, TAYLOR & PRESTON  
ADDRESS: #7 Saint Paul St., Suite 1400  
BALTO, MD. 21202-1626

PHONE NUMBER: \_\_\_\_\_

AJ:ggs

(Revised 04/09/93)



TO: PUTUXENT PUBLISHING COMPANY  
June 22, 1995 Issue - Jeffersonian

Please forward billing to:

G. Scott Barhight, Esq.  
Whiteford, Taylor & Preston  
7 St. Paul Street, #1400  
Baltimore, MD 21202-1626

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### NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in  
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204  
or  
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-451-SPH (Item 446)  
N/S Gerting Road, 980'+/- N of c/l Sheppard Road  
10th Election District - 3rd Councilmanic  
Legal Owner(s): General German Aged People's Home of Baltimore  
HEARING: FRIDAY, JULY 14, 1995 at 9:00 a.m. in Room 106, County Office Building.

Special Hearing to approve non-density transfer of 2 parcels to adjoining properties.

LAWRENCE E. SCHMIDT  
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.  
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

MICROFILMED

Baltimore County Government  
Office of Zoning Administration  
and Development Management



111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

June 15, 1995

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in  
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204  
or  
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

DEVELOPMENT PLAN HEARING

Project Number: X-325

Project Name: Whiteley Property

Location: NE/S Gerding Road, NW of Sheppard Road

Acres: 237

Developer: General German Aged People Home of Baltimore

Proposal: 4 Single family dwellings.

and

CASE NUMBER: 95-451-SPH (Item 446)

N/S Gerding Road, 980'+/- N of c/l Sheppard Road

10th Election District - 3rd Councilmanic

Legal Owner(s): General German Aged People's Home of Baltimore

Special Hearing to approve non-density transfer of 2 parcels to adjoining properties.

HEARING: FRIDAY, JULY 14, 1995 at 9:00 a.m. in Room 106, County Office Building.

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon  
Director

cc: General German Aged People's Home of Baltimore  
G. Scott Barhight, Esq.  
George W. Stephens and Associates  
Gerhold, Cross & Etzel, Ltd.

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.  
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.  
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.



Baltimore County Government  
Office of Zoning Administration  
and Development Management



111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

July 7, 1995

G. Scott Barhight, Esquire  
210 W. Pennsylvania Avenue  
Towson, Maryland 21204

RE: Item No.: 446  
Case No.: 95-451-SPH  
Petitioner: Gen. German Aged  
People's Home of  
Baltimore

Dear Mr. Barhight:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on June 8, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

A handwritten signature in dark ink that reads "Carl Richards, Jr." with a stylized flourish at the end.

W. Carl Richards, Jr.  
Zoning Supervisor

WCR/jw  
Attachment(s)





INTER-OFFICE CORRESPONDENCE

SUBJECT: Zoning Item #446 - General German Aged People's Home of Baltimore  
Gerting Road  
Zoning Advisory Committee Meeting of June 19, 1995

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item.

## Environmental Impact Review

Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains.

This project must also comply with the Forest Conservation Regulations.

## Ground Water Management

Soil Percolation tests must be conducted prior to development of property.

## Agricultural Preservation Program

This request has been reviewed for prime and productive soils and can be approved with the following restrictions:

Parcel 1A - has a minor amount of prime and productive soils but is almost entirely restricted by a forest buffer easement which precludes agricultural activity.

Parcel 2A - has a minor amount of prime and productive soils and can be approved because such activity will not significantly diminish the agricultural resources of the area.

A conservancy easement agreement must be submitted for each lot prior to plan approval.

JLP:DL:TE:WL:sp

PEOPLES/DEPRM/TXTSBP

**MICROFILMED**

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director, ZADM

DATE: June 26, 1995

FROM: Pat Keller, Director, OPZ

SUBJECT: General German People's Home of Baltimore

INFORMATION:

Item Number: 446

Petitioner: Sal J. Molite, Jr.

Property Size: \_\_\_\_\_

Zoning: RC-2

Requested Action: Special Hearing

Hearing Date:     /    /    

SUMMARY OF RECOMMENDATIONS:

The applicant requests that the Zoning Commissioner approve the non-density transfer of two parcels to adjacent properties.

Based upon a review of the information provided, staff does not oppose the requested non-density transfer.

Prepared by: Jeffrey W. Long

Division Chief: John J. [Signature]

PK/JL

BALTIMORE COUNTY, MARYLAND  
I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director      DATE: June 26, 1995  
Zoning Administration and Development Management

FROM: *RWB* Robert W. Bowling, P.E., Chief  
Developers Engineering Section

RE: Zoning Advisory Committee Meeting  
for June 26, 1995  
Items 436, 437, 438, 441, 442, 444, 445, 446, 447 and 449

The Developers Engineering Section has reviewed  
the subject zoning item and we have no comments.

RWB:sw



Maryland Department of Transportation  
State Highway Administration

O. James Lighthizer  
Secretary

Hal Kassoff  
Administrator

6-13-95

Ms. Joyce Watson  
Zoning Administration and  
Development Management  
County Office Building  
Room 109  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Re: Baltimore County  
Item No.: 446 (RT)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

*Bob Small*

*for*

Ronald Burns, Chief  
Engineering Access Permits  
Division

BS/

JW

Baltimore County Government  
Fire Department



700 East Joppa Road Suite 901  
Towson, MD 21286-5500

(410) 887-4500

DATE: 06/14/95

Arnold Jablon  
Director  
Zoning Administration and  
Development Management  
Baltimore County Office Building  
Towson, MD 21204  
MAIL STOP-1105

RE: Property Owner: SEE BELOW

LOCATION: DISTRIBUTION MEETING OF JUNE 19, 1995.

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,  
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 441, 442, 443, 444, 445, 446, 447, 448 AND 449.

REVIEWER: LT. ROBERT P. SAUERWALD  
Fire Marshal Office, PHONE 887-4881, MS-1102F

446

cc: File



Printed on Recycled Paper

**BALTIMORE COUNTY, MARYLAND**  
**Inter-Office Memorandum**

DATE: June 8, 1995

TO: Hearing Officer

FROM: Regulo Tanguilig  
Planner I, ZADM

SUBJECT: Item #446

Item #446 is part of the proposed major development (Whitley  
Property).

RT:scj

**MICROFILMED**

RE: PETITION FOR SPECIAL HEARING \* BEFORE THE  
N/S Gerting Road, 980'+/- N of c/l \*  
Sheppard Road, 10th Election District, \* ZONING COMMISSIONER  
3rd Councilmanic \* OF BALTIMORE COUNTY  
General German Aged People's Home of Balto. \*  
Petitioners \* CASE NO. 95-451-SPH

\* \* \* \* \*

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

*Peter Max Zimmerman*

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

*Carole S. Demilio*

CAROLE S. DEMILIO

Deputy People's Counsel

Room 47, Courthouse

400 Washington Avenue

Towson, MD 21204

(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 26<sup>th</sup> day of June, 1995, a copy of the foregoing Entry of Appearance was mailed to G. Scott Barhight, Esquire, Whiteford, Taylor & Preston, 210 W. Pennsylvania Avenue, Towson, MD 21204, attorney for Petitioners.

*Peter Max Zimmerman*

PETER MAX ZIMMERMAN

WITNESSED

95-451-SPH

WHITEFORD, TAYLOR & PRESTON  
L.L.P.

SEVEN SAINT PAUL STREET  
BALTIMORE, MARYLAND 21202-1626  
TELEPHONE 410 547-8700  
FAX 410 752-7092

210 WEST PENNSYLVANIA AVENUE  
TOWSON, MARYLAND 21204-4515

410 832-2000  
FAX 410 832-2015

1025 CONNECTICUT AVENUE, NW  
WASHINGTON, D.C. 20036-5405  
TELEPHONE 202 659-6800  
FAX 202 331-0573

DAVID K. GILDEA  
DIRECT NUMBER  
410 832-2066

1317 KING STREET  
ALEXANDRIA, VIRGINIA 22314-2928  
TELEPHONE 703 836-5742  
FAX 703 836-0265

June 5, 1995

Mr. Arnold Jablon  
Director, Zoning Administration and  
Development Management Office  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

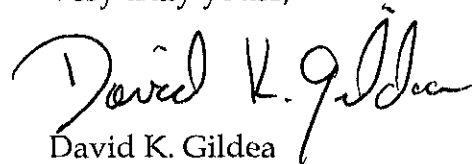
Re: General German Aged Peoples' Home of MD

Dear Mr. Jablon:

Enclosed please find a Petition for Special Hearing for Filing in the above-referenced matter. The filing of the Petition for Special Hearing is in conjunction with the Development Plan which has been previously filed, and as such, we request a combined hearing on the two.

Thank you.

Very truly yours,

  
David K. Gildea

DKG:dmk

cc: G. Scott Barhight, Esquire

49718

ITEM #446



GORDON T. LANGDON  
EDWARD F. DEIACO-LOHR  
BRUCE E. DOAK

# GERHOLD, CROSS & ETZEL, LTD.

Registered Professional Land Surveyors

SUITE 100  
320 EAST TOWSONTOWN BOULEVARD  
TOWSON, MARYLAND 21286-5318

410-823-4470  
FAX 410-823-4473

EMERITUS  
PAUL G. DOLLENBERG  
FRED H. DOLLENBERG  
CARL L. GERHOLD  
PHILIP K. CROSS  
OF COUNSEL  
JOHN F. ETZEL  
WILLIAM G. ULRICH

June 7, 1995

## ZONING HISTORY

### Original Deed

T.B.S. No. 1728 folio 332 - February 1, 1949 Sarah Bosley Merryman,  
et al to Theodore E. Whiteley and Bettie Whiteley, his wife

1st Parcel: 2 Acres, 3 roods and 7 square perches

2nd Parcel: 1 Acre, 3 roods and 28 square perches

(entire 1st and 2nd parcels conveyed out prior to  
November 25, 1979)

3rd Parcel: 297 Acres, 2 roods and 13 square perches

Numerous Record Plats and Metes and Bounds out-conveyances  
prior to November 25, 1979

Leaving as of November 25, 1979: 250.015 Acres - 5 density units

### Out-Conveyance:

E.H.K.Jr. No. 7147 folio 795 October 8, 1985

Theodore E. Whiteley and Bettie Whiteley, his wife to  
Mary Elizabeth Whiteley, their daughter

12.23 Acres - 1 density unit

### Remaining Area

237.785 Acres - 4 density units

S.M. No. 8692 folio 189 August 13, 1990 237.785 Acres

Theodore E. Whiteley by Theodore E. Whiteley Jr, Attorney in Fact to Nancy W. Sussman,  
Elizabeth Whiteley and Theodore E. Whiteley Jr., Trustees

S.M. No. 8692 folio 197 September 4, 1990 237.785 Acres

Theodore E. Whiteley by Bettie Whiteley, Attorney in Fact to Nancy W. Sussman, Elizabeth  
Whiteley, and Theodore E. Whiteley Jr., Trustees

December 2, 1991

Nancy W. Sussman, Elizabeth Whiteley, and Theodore E. Whiteley Jr., Trustees resigned as  
Trustees and appointed Henry B. Peck, Jr. Successor Trustee

S.M. No. 10002 folio 571 August 14, 1993

Boundary Line Agreement between Raymond J. Marocco, et al and Henry B. Peck Jr., Successor  
Trustee

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MICROFILMED

ITEM # 446

**GERHOLD, CROSS & ETZEL, LTD.**

*Registered Professional Land Surveyors*

S.M. No. 10002 folio 577 September 8, 1993

Boundary Line Agreement between Beulah E. Adams, widow, and Henry B. Peck Jr., Successor  
Trustee

S.M. 10021 folio 410 and S.M. No. 10021 folio 413 September 18, 1993

Swap of parcels of ground 0.175 Acre, more or less, between Elizabeth Whiteley and Henry B.  
Peck Jr., Successor Trustee

Current Title

S.M. No. 10039 folio 011 September 23, 1993

Henry B. Peck, Jr., Successor Trustee, to General German Aged People's Home of Baltimore  
237.785 Acres, more or less.

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(397 Ac)

1772 / 237

Dorothy J. Gray

Henry F. Reese

STATE OF MARYLAND, CITY OF BALTIMORE TO WIT:

I HEREBY CERTIFY, That on this 11th day of February, 1949, before me, the subscriber, a Notary Public of the State of Maryland, in and for the City aforesaid, personally appeared Henry F. Reese the above named Mortgagors, and he acknowledged the foregoing Mortgage to be his act.

At the same time also personally appeared J. V. Chatterton, the Vice President of the within body corporate, Mortgagee, and made oath in due form of law that the consideration of said mortgage is true and bona fide as therein set forth; and also made oath that he is the agent of the Mortgagee and is duly authorized to make this affidavit.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year aforesaid.

(Notarial Seal)

Dorothy J. Gray

Notary Public.

Dorothy J. Gray

FOR VALUE RECEIVED, The White-Mowbray Company hereby assigns without recourse the within mortgage unto Prudential Insurance Company of America.

WITNESS the signature of J. V. Chatterton, Vice President of The White-Mowbray Company, and its corporate seal hereto affixed, this 11th day of February, 1949.

TEST:

THE WHITE-MOWBRAY COMPANY (Corporate Seal)

Dorothy J. Gray

By J. V. Chatterton

Dorothy J. Gray

J. V. Chatterton, Vice President

Rec Feb 19 1949 at 11:20 A M & exd per T Braden Silcott Clerk (Rec by BLA)

Exd by AJ&EH

Folio 332 Liber 1728 Newark, New Jersey Jan. 3, 1969  
For value received, The Prudential Insurance Company of America, hereby releases the within and foregoing mortgage.  
Witness the corporate seal of the said body corporate and the signature of its Vice President.  
Witness: Janet Goetze The Prudential Insurance Company of America  
(Corporate Seal) By Graham Macmillan, Vice President  
Rec. Apr. 8, 1969 at 10:45 A M & Exd per Orville T. Gosnell, Clerk gh

84268 Sarah Bosley Merryman et al : THIS DEED, Made this 1st day of February, in the year Deed to Theodore E Whiteley et al : one thousand nine hundred and forty-nine, by and US \$26.40 SS \$26.40 : between Sarah Bosley Merryman, (Sometimes known as Sara Bosley Merryman), Divorced, Elizabeth C. Bosley, Unmarried, and John Bosley III, and Barrington King Bosley, his wife, of Baltimore County, State of Maryland, of the first part, Grantors, and Theodore E. Whiteley and Bettie Whiteley, his wife, of Erie, Commonwealth of Pennsylvania, of the second part, Grantees.

WITNESSETH, that in consideration of the sum of Five (\$5.00) dollars, and other good and valuable considerations, the receipt whereof is hereby acknowledged, the said Sarah Bosley Merryman (Sometimes known as Sara Bosley Merryman), Divorced, Elizabeth C. Bosley, Unmarried, and John Bosley III and Barrington King Bosley, his wife, do grant and convey unto the said Theodore E. Whiteley and Bettie Whiteley, his wife, as tenants by the entireties, their assigns, the survivor of them, his or her heirs and assigns, in fee simple, all those tracts or parcels

MICROFILMED

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of land situate, lying and being in Baltimore County, State of Maryland and described as follows, that is to say:

BEGINNING for the first thereof, (from survey as made by Thomas E. Cathcard, Surveyor, on September 18, 1889), at the corner of Jacob M. Pearce's, William Pearce's and Elihu Cuddy's lands, thence bounding on said Cuddy's land, South  $83\frac{3}{4}$  degrees west 27- $\frac{9}{10}$  perches to the centre of the Wesley Chapel and Monkton Road, (2 perches from a stone set up in the above line), thence bounding on said road, two courses, to wit: North  $40\frac{1}{2}$  degrees East 12- $\frac{1}{5}$  perches, North 45 degrees East 32- $\frac{2}{5}$  perches to a stone on the East side of said road in a private road, thence bounding on William Pearce's land and Lot No. 2, South 7 degrees West 28- $\frac{3}{4}$  perches to the beginning. CONTAINING 2 acres, 2 roods and 7 square perches, more or less.

AND BEGINNING for the second thereof at the beginning of the lot herein firstly described, thence bounding on said Cuddy's land, South  $6\frac{1}{2}$  degrees West 17 perches to a stone, thence North  $85\frac{1}{2}$  degrees East 14 perches to a stone, a corner of Thomas Miller's land, thence bounding on the remaining part North  $3\frac{1}{2}$  degrees East 17- $\frac{2}{5}$  perches to a stone in a private road, North  $48\frac{1}{2}$  degrees West 15- $\frac{3}{4}$  perches, to the 4th line of Lot No. 1, thence with said line South 7 degrees West 11- $\frac{9}{10}$  perches to the beginning. CONTAINING 1 acre, 3 roods and 28 square perches, more or less.

ALSO BEGINNING in or near the centre of the road leading from the Monkton Road to the Monkton and Wesley Chapel Road at a point bearing South 23 degrees West 22 $\frac{1}{2}$  feet from an oak tree on the Northeast side of said road, thence bounding on said first named road as follows: North  $33\frac{1}{2}$  degrees West 82- $\frac{2}{5}$  perches, North  $80\frac{1}{2}$  degrees West 41- $\frac{1}{5}$  perches to a point opposite a gate leading to the property of one John E. Pearce, which point is the beginning of a private road hereinafter described, thence North 78 degrees West 43- $\frac{1}{10}$  perches to a point bearing South  $11\frac{3}{4}$  degrees West 1 perch from a stone on the North side of said road, thence bounding on the lands of Slicer Tipton and T. J. Miller, North  $11\frac{3}{4}$  degrees East 128 perches to a stone, thence bounding on the lands of the said T. J. Miller, North  $24\frac{3}{4}$  degrees West 34 perches to a stone on Silas Leight's land, thence bounding thereon, North  $3\frac{1}{2}$  degrees East 17- $\frac{2}{5}$  perches to the centre of a private road, North  $48\frac{1}{2}$  degrees West 15- $\frac{3}{4}$  perches to a near hickory tree thence North 7 degrees East 16- $\frac{4}{5}$  perches to the East side of the Wesley Chapel and Monkton Road, thence with said road and J. M. Pearce's land North  $10\frac{1}{2}$  degrees East 51- $\frac{3}{5}$  perches North  $38\frac{3}{4}$  degrees East 17- $\frac{3}{5}$  perches, North 30 degrees East 37- $\frac{3}{5}$  perches to J. B. Pearce's land, thence South 34 degrees East 2 perches to a stone, thence still South 34 degrees East 42- $\frac{3}{5}$  perches to a stone near a large pine tree, South 22 $\frac{1}{2}$  degrees East 15- $\frac{7}{10}$  perches to two forked poplar trees, thence North  $65\frac{1}{2}$  degrees East 32 perches to a place near a marked rock oak tree, thence with Terrell's line, South 11 degrees East 32- $\frac{4}{5}$  perches, North  $58\frac{1}{2}$  degrees East 12 $\frac{1}{2}$  perches to a stone of Sparks' land South  $23\frac{3}{4}$  degrees East  $34\frac{1}{2}$  perches to a poplar tree, still bounding on said land North  $50\frac{1}{2}$  degrees East 107- $\frac{2}{5}$  perches thence bounding on Ann Johnson's land South  $36\frac{1}{2}$  degrees East 54- $\frac{1}{3}$  perches to a stone, North  $60\frac{1}{2}$  degrees East 28- $\frac{2}{5}$  perches, thence bounding on the lands of William and Herbert Hutchings, South  $1\frac{1}{4}$  degree East 16 perches to a corner of Charles Holme's land, thence bounding thereon as follows: (allowing 27 minutes Westerly variation) South  $11\frac{3}{4}$  degrees West 53 perches, South 78 degrees East 10- $\frac{2}{5}$  perches, South  $11\frac{1}{2}$  degrees East 19- $\frac{1}{5}$  perches, South 53 degrees West 20- $\frac{9}{10}$  perches, South  $16\frac{1}{2}$  degrees West 55- $\frac{4}{5}$  perches, South 19 degrees West 60 perches, South  $84\frac{1}{2}$  degrees West 18- $\frac{1}{5}$  perches, South 56 degrees (inadvertently called "North 56 degrees" in the Deed hereinafter mentioned) West 23- $\frac{1}{10}$  perches, and thence South  $37\frac{3}{4}$  degrees West 92- $\frac{7}{10}$  perches to the place of beginning. CONTAINING 397 acres, 2 roods and 13 square perches, more

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or less.

BEING all and the same property which by Deed dated May 22, 1934, and recorded among the Land Records of Baltimore County in Liber C. W. B. Jr. No. 940, folio 583, etc., was conveyed by Mary Eldridge Alger, Widow, and others, to the said Sarah E. Bosley Merryman (then Sarah E. Bosley), John Bosley III and Elizabeth C. Bosley.

TOGETHER with the buildings and improvements thereupon erected, made or being; and all and every the rights, alleys, waters, ways, privileges, appurtenances and advantages to the same belonging, or in anywise appertaining; and especially also the privilege of using a private roadway along the following lines as a way to and from the Monkton Road; Beginning at the end of the second line of William Pearce's part and thence South 5 degrees West 31-4/5 perches, South 2 degrees West 16.7 perches and thence South 4 degrees West 24 perches to the centre of the aforesaid Monkton Road at the entrance to said John B. Pearce's farm, which right of way across his land was granted by the said John B. Pearce to William Pearce, his heirs and assigns, in the Deed dated November 7, 1889, and recorded among the Land Records of Baltimore County in Liber N. B. M. No. 242, at folio 194.

TO HAVE AND TO HOLD the said land and promises above described and mentioned and hereby intended to be conveyed; together with the rights, privileges, appurtenances and advantages aforesaid unto the said Theodore E. Whiteley and Bettie Whiteley, his wife, as tenants by the entireties, their assigns, the survivor of them, his or her heirs and assigns, in fee simple.

AND the said parties of the first part hereby covenant that they have not done or suffered to be done any act, matter or thing whatsoever, to encumber the property hereby conveyed; that they will warrant specially the property granted and that they will execute such further assurances of the same as may be requisite.

WITNESS the hands and seals of the said Grantors.

TEST:

Mildred P. Zink  
Mildred P. Zink  
Mildred P. Zink  
Mildred P. Zink  
Mildred P. Zink  
Mildred P. Zink  
Mildred P. Zink  
Mildred P. Zink

Sarah Bosley Merryman (SEAL)  
Sarah Bosley Merryman, Sometimes known as  
Sara Bosley Merryman (SEAL)  
Sara Bosley Merryman  
Elizabeth C. Bosley (SEAL)  
Elizabeth C. Bosley  
John Bosley III (SEAL)  
John Bosley III  
Barrington King Bosley (SEAL)  
Barrington King Bosley

STATE OF MARYLAND, BALTIMORE COUNTY, TO WIT:

I HEREBY CERTIFY, that on this 1st day of February, in the year one thousand nine hundred and forty-nine, before me, the subscriber, a Notary Public of the State of Maryland, in and for Baltimore County aforesaid, personally appeared Sarah Bosley Merryman, Sometimes known as Sara Bosley Merryman, one of the within named Grantors, and she acknowledged the foregoing Deed to be her act.

AS WITNESS my hand and Notarial Seal.

(Notarial Seal)

Mildred P. Zink

Mildred P. Zink

Notary Public

STATE OF MARYLAND, BALTIMORE COUNTY, TO WIT:

I HEREBY CERTIFY, that on this 1st day of February, in the year one thousand nine hundred and forty-nine, before me, the subscriber, a Notary Public of the State of Maryland, in and for Baltimore County aforesaid, personally appeared Elizabeth C. Bosley, Unmarried, one of the

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E.H.K. JR.

LIBERTY 147 FOLIO 195

EXEMPTION

12.23 AC.  
OUT

This Deed, Made this 8<sup>th</sup> day of October

in the year one thousand nine hundred and eighty-five, by and between

Theodore E. Whiteley and Bettie Whiteley, his wife,

, of the first part, and

Mary Elizabeth Whiteley, their daughter,  
of the second part.

Witnesseth, that in consideration of the sum of \$1000.00 as a gift and for no monetary consideration

the said Theodore E. Whiteley and Bettie Whiteley, his wife,

do hereby grant and convey unto the said Mary Elizabeth Whiteley, her

B R C F 15.00  
DEED 0 #  
E.H.K. JR T 15.00  
E.H.K. JR 15.00  
H09403 C004 R01 T14:35  
05/02/86

heirs and assigns,

in fee simple, and ~~all other rights and interests in and to the same~~

Surveyor's description attached hereto and made a part hereof.

~~State of Maryland, and the County of Baltimore, to-wit:~~

~~Beginning for the same~~

TRANSFER TAX NOT REQUIRED  
Director of Finance  
BALTIMORE COUNTY MARYLAND  
Per Thomas J. Polburn  
Authorized Signature  
Date 5-2-86 Sec. 11-85 C

STATE OF MARYLAND  
DEPARTMENT OF REVENUE  
TAXATION  
KAP 5/2/86  
DATE

AGRICULTURAL TRANSFER TAX  
EXEMPTION  
SIGNATURE KAP 5/2/86  
DATE

MICROFILMED

ITEM #446

CARL L. GERHOLD  
 PHILIP V. CROSS  
 JOHN F. ETZEL  
 WILLIAM G. ULRICH  
 GORDON T. LANGDON

GERHOLD, CROSS & ETZEL  
 Registered Professional Land Surveyors  
 412 DELAWARE AVENUE  
 TOWSON, MARYLAND 21204

EMERITUS  
 PAUL G. DOLLENBERG  
 FRED H. DOLLENBERG

823-4470

October 1, 1985

All that piece or parcel of land situate, lying and being in the Tenth Election District of Baltimore County, State of Maryland and described as follows to wit:

150  
 Beginning for the same at the beginning of the northernmost or South 75 degrees 30 minutes 30 seconds East 518.77 foot line of Lot No. 1 as laid out on the plat of Fox Hill Farm which plat is recorded among the Plat Records of Baltimore County, in Plat Book O.T.G.No. 34 folio 58 and running thence and binding on the northernmost and on a part of the easternmost lot lines of said Lot No. 1, the two following courses and distances viz: South 75 degrees 30 minutes 30 seconds East 518.77 feet and South 14 degrees 29 minutes 30 seconds West 50.00 feet to the northwest corner of Lot No. 2 as laid out on said plat, thence binding on the northernmost lot lines of Lots Nos. 2 and 3 and for a part on the easternmost lot line of Lot No. 3, the two following courses and distances viz: South 75 degrees 30 minutes 30 seconds East 421.16 feet and South 8 degrees 07 minutes 40 seconds West 449.62 feet to the center of Gerting Road, thence binding in the center of Gerting Road, South 76 degrees 15 minutes 50 seconds East 54.64 feet, thence leaving said Road and running for lines of division, the five following courses and distances viz:  
 6 North 12 degrees 56 minutes 15 seconds East 512.99 feet, 7 North 6 degrees 09 minutes 30 seconds West 267.40 feet, 8 North 84 degrees 24 minutes 50 seconds West 52 feet, 9 North 45 degrees 09 minutes West 252.40 feet and 10 North 7 degrees 56 minutes West 330.20 feet to the beginning of the thirteenth or North 80 degrees 49 minutes 18 seconds West 542.91 foot line of the parcel of land which by a deed dated October 2, 1979 and recorded among the Land Records of Baltimore County in Liber E.H.K.Jr. No. 6084 folio 189 was conveyed by Theodore E. Whitely and wife to Theodore E. Whitely, Jr., thence running with and binding on said line, North 80 degrees 40 minutes West 542.91 feet to intersect the fourth line of the parcel of land thirdly described in a deed dated February 1, 1949 and recorded among the Land Records of Baltimore County in Liber T.B.S.No. 1728 folio 332 was conveyed by Sarah Bosley Merryman et al to Theodore E. Whitely and wife and thence binding reversely on a part of said fourth line, South 14 degrees 31 minutes 40 seconds West 542.83 feet to the place of beginning.

Containing 12.23 Acres of land more or less.

Being a part of the parcel of land thirdly described in a deed dated February 1, 1949 and recorded among the Land Records of Baltimore County in Liber T.B.S.No. 1728 folio 332 which was conveyed by Sarah Bosley Merryman et al to Theodore E. Whitely and Bettie Whitely, his wife.

Note: Compiled from plats and deeds.

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**This Deed,**

Made this

13th

day of

August

in the year one thousand nine hundred and ninety , between

THEODORE E. WHITELEY, by Theodore E. Whiteley, Jr., his Attorney In Fact, acting under and by virtue of a power of attorney dated May 2, 1990, hereinafter referred to, and BETTIE WHITELEY, his wife,

of Baltimore County

, in the State of

Maryland

, of the first part,

and

✓ THEODORE E. WHITELEY,

of the second part.

## NO CONSIDERATION

~~Witnesseth~~, That in consideration of the sum of ~~XXXXXXX~~ and other good and valuable considerations, the receipt whereof is hereby acknowledged, THEODORE E. WHITELEY, acting under and by virtue of his attorney as aforesaid, and BETTIE WHITELEY

do grant and convey unto the said party of the second part, his personal representatives and assigns,

in fee simple, all

that

lot of ground situate, lying and being in

Baltimore County

, State of Maryland, ~~XXXXXXXXXX~~

and described as follows, that is to say:

FOR DESCRIPTION, SEE ATTACHED.

RECORDED FOR TRANSFER  
State Department of  
Assessments & Taxation  
for Baltimore County

*AT* 1-14-91  
Date

TRANSFER TAX  
IF APPLICABLE

RECORDED

DATE

1-14-91

C REC/F 20.00

DEED 0#

SM CLERK 20.00

#16183 0001 R02 T09:15

01/14/91

THIS IS TO CERTIFY that the within instrument was prepared by or under the supervision of the undersigned, an attorney duly admitted to practice before the Court of Appeals of Maryland.

*Joan H. Dember*  
Attorney

TRANSFER TAX NOT REQUIRED

Director of Finance

BALTIMORE COUNTY, MARYLAND

Per *Barbara*

Authorized Signature

Date 1-14-91

Sec. 11-85 A

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Together, with the buildings and improvements thereupon erected, made or being; and all and every the rights, alleys, ways, waters, privileges, appurtenances and advantages, to the same belonging, or in anywise appertaining; and especially also the privilege of using a private roadway along the following lines as a way to and from the Monkton Road; Beginning at the end of the second line of William Pearce's part and thence south 5 degrees west 31-4/5 perches (\*)

To have and to hold, the lot of ground and premises, above described and mentioned, and hereby intended to be conveyed; together with the rights, privileges, appurtenances and advantages thereto belonging or appertaining unto and to the proper use and benefit of the said party of the second part, his personal representatives and assigns, forever, in fee simple.

(\*)south 2 degrees west 16.7 perches and thence south 4 degrees west 24 perches to the center of the aforesaid Monkton Road at the entrance to said John B. Pearce's farm which right of way across his land was granted by the said John B. Pearce to William Pearce, his heirs and assigns, in the deed dated November 7, 1889, and recorded among the Land Records of Baltimore County, in Liber N.B.M. No. 242, at folio 194.

And the said grantors hereby covenant that they not done or suffered to be done any act, matter or thing whatsoever, to encumber the property hereby conveyed; that they will warrant specially the property hereby granted; and that they will execute such further assurances of the same as may be requisite.

Witness the hands and seals of said grantors.

WITNESS:

*[Handwritten signatures of Theodore E. Whiteley and Theodore E. Whiteley, Jr.]*

*Theodore E. Whiteley* (SEAL)  
Theodore E. Whiteley

*Theodore E. Whiteley, Jr.* (SEAL)  
Theodore E. Whiteley, Jr.,  
his Attorney

*Bettie Whiteley* (SEAL)  
Bettie Whiteley

State of Maryland, Baltimore City, to wit:

I hereby certify, that on this

13<sup>th</sup>

day of August,

in the year one thousand nine hundred and ninety, before me, the subscriber,

a Notary Public of the State of Maryland, in and for Baltimore City aforesaid, personally appeared Theodore E. Whiteley, Jr., Attorney-in-Fact for Theodore E. Whiteley, and in pursuance of the power and authority set forth in the Power-of-Attorney, hereinbefore referred to, acknowledged the foregoing to be the act of the said Theodore E. Whiteley, Jr., as such Attorney-in-Fact, and further made oath in due form of law that at the time of the execution of the within instrument, he did not have actual knowledge of the revocation or termination of the above mentioned power of attorney, by any cause whatsoever, and Bettie Whiteley

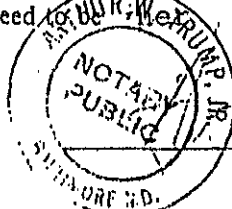
and

acknowledged the foregoing deed to be

act.

As witness my hand and Notarial Seal.

(NOTARY SEAL)



My commission expires

8-15-90

Notary Public.

ITEM # 446

DESCRIPTION

ALSO BEGINNING in or near the centre of the road leading from the Monkton Road to the Monkton and Wesley Chapel Road at a point bearing south 23 degrees west 22-1/2 feet from an oak tree on the northeast side of said road, thence bounding on said first named road as follows: north 33-1/2 degrees west 82-2/5 perches, north 80-1/2 degrees west, 41-1/5 perches to a point opposite a gate leading to the property of one John E. Pearce, which point is the beginning of a private road hereinafter described, thence north 78 degrees west 43-1/10 perches to a point bearing south 11-3/4 degrees west 1 perch from a stone on the north side of said road, thence bounding on the lands of Slicer Tipton and T. J. Miller, north 11-3/4 degrees east 128 perches to a stone thence bounding on the lands of the said T. J. Miller, north 24-3/4 degrees west 34 perches to a stone on Silas Leight's land, thence bounding thereon, north 3-1/2 degrees east 17-2/5 perches to the centre of a private road, north 48-1/2 degrees west 15-3/4 perches to a near hickory tree thence north 7 degrees east 16-4/5 perches to the east side of the Wesley Chapel and Monkton Road, thence with said road and J. M. Pearce's land north 10-1/2 degrees east 51-3/5 perches north 38-3/4 degrees east 17-3/5 perches, north 30 degrees east 37-3/5 perches to a J. B. Pearce's land, thence south 34 degrees east 2 perches to a stone, thence still south 34 degrees east 42-3/5 perches to a stone near a large pine tree, south 22-1/2 degrees east 15-7/10 perches to two forked poplar trees, thence north 65-1/4 degrees east 32 perches to a place near a marked rock oak tree thence with Terrell's line, south 11 degrees east 32-4/5 perches, north 58-1/4 degrees east 12-1/2 perches to a stone of Sparks' land south 23-3/4 degrees east 34-1/2 perches to a poplar tree, still bounding on said land north 50-1/2 degrees east 107-2/5 perches thence bounding on Ann Johnson's land south 36-1/2 degrees east 54-1/3 perches to a stone, north 60-1/2 degrees east 28-2/5 perches, thence bounding on the lands of William and Herbert Hutchings, south 1/4 degree east 16 perches to a corner of Charles Holme's land, thence bounding thereon as follows: (allowing 27 minutes westerly variation) south 11-3/4 degrees west 53 perches, south 78 degrees east 10-2/5 perches, south 11-1/2 degrees east 19-1/5 perches, south 53 degrees west 20-9/10 perches, south 16-1/4 degrees west 55-4/5 perches, south 19 degrees west 60 perches, south 84-1/4 degrees west 18-2/5 perches, south 56 degrees (inadvertently called "north 56 degrees" in the deed hereinafter mentioned) west 23-1/10 perches, and thence south 37-3/4 degrees west 92-7/10 perches to the place of beginning. CONTAINING 397 acres, 2 roods and 13 square perches, more or less.

BEING all and the same property which by deed dated May 22, 1934, and recorded among the Land Records of Baltimore County in Liber C.W.B.Jr. No. 940, folio 583, etc., was conveyed by Mary Eldridge Alger, Widow, and others, to the said Sarah E. Bosley Merryman (then Sarah E. Bosley), John Bosley, III and Elizabeth C. Bosley

SAVING AND EXCEPTING from the above described parcel of ground the following conveyances:

1. Deed dated March 27, 1953, and recorded among the Land Records of Baltimore County in Liber C.L.B. No. 2307, folio 250 was granted and conveyed by Theodore E. Whiteley and Bettie Whiteley, his wife unto Estelle M. Pearce and John Homer Pearce.

2. Deed dated April 21, 1964 and recorded among the Land Records of Baltimore County in Liber R.R.G. No. 4289, folio 11, was granted and conveyed by Theodore Evans Whiteley and Bettie S. Whiteley, his wife unto Kenneth L. Ensor and Virginia M. Ensor, his wife.

ITEM #446

3. Deed dated November 20, 1964 and recorded among the Land Records of Baltimore County in Liber R.R.G. No. 4392, folio 56 was granted and conveyed by Theodore E. Whiteley and Bettie Whiteley, his wife unto John J. Byrnes, Jr. and Mary Gertrude Byrnes, his wife.

4. Deed dated May 21, 1965, and recorded among the Land Records of Baltimore County in Liber R.R.G. No. 4463, folio 324, was granted and conveyed by Theodore Evans Whiteley and Bettie S. Whiteley, his wife unto William E. Irwin, Jr. and Janice Irwin, his wife.

5. Deed dated November 8, 1968 and recorded among the Land Records of Baltimore County in Liber O.T.G. No. 4939, folio 45, was granted and conveyed by Theodore E. Whiteley and Bettie Whiteley, his wife, unto John J. Byrnes, Jr. and Mary Gertrude Byrnes, his wife.

6. Deed dated February 16, 1970 and recorded among the Land Records of Baltimore County in Liber O.T.G. No. 5074, folio 49, was granted and conveyed by Theodore E. Whiteley and Bettie Whiteley, his wife unto John R. Oare and Ann C. Oare, his wife.

7. Deed dated November 1, 1971, and recorded among the Land Records of Baltimore County in Liber O.T.G. No. 5230, folio 918 was granted and conveyed by Theodore E. Whiteley and Bettie S. Whiteley unto John E. Ensor and Elizabeth M. Ensor, his wife.

8. Deed dated May 8, 1979 and recorded among the Land Records of Baltimore County in Liber E.H.K.Jr. No. 6020, folio 676, was granted and conveyed by Theodore E. Whiteley and Bettie Whiteley, his wife, unto Conrad E. Nagle and Kimberley Nagle, his wife.

9. Deed dated October 2, 1979, and recorded among the Land Records of Baltimore County in Liber E.H.K.Jr. No. 6084, folio 189 was granted and conveyed by Theodore E. Whiteley and Bettie S. Whiteley, his wife unto Theodore E. Whiteley, Jr. See also Deed to same parcel dated December 10, 1982 recorded among the Land Records of Baltimore County in Liber E.H.K. Jr. No. 6472, folio 249, was granted and conveyed by Theodore A. E. Whiteley, Jr. unto Theodore A.E. Whiteley, Jr. and Mary E. Whiteley, his wife.

10. Deed dated October 8, 1985 and recorded among the Land Records of Baltimore County in Liber E.H.K.Jr. No. 7147, folio 795 was granted and conveyed by Theodore E. Whiteley and Bettie Whiteley, his wife unto Mary Elizabeth Whiteley.

11. Deed dated December 9, 1969, and recorded among the Land Records of Baltimore County in Liber E.H.K. Jr. No. 5063, folio 505 was granted and conveyed by Theodore E. Whiteley and Bettie Whiteley, his wife unto Baltimore County, Maryland.

FEE SIMPLE DEED

S.M. LIBER 8692 PAGE 189

7-17-13 123310

**This Deed,** Made this 13th day of August

in the year one thousand nine hundred and ninety, between  
THEODORE E. WHITELEY, by Theodore E. Whiteley, Jr., his Attorney in Fact, acting  
under and by virtue of a power of attorney dated May 2, 1990, hereinbefore referred  
to,

of Baltimore County, in the State of Maryland, of the first part,

and NANCY W. SUSSMAN, ELIZABETH WHITELEY and THEODORE E. WHITELEY, Jr., Trustees  
under the Theodore E. Whiteley Deed of Trust dated August 13th, 1990

of the second part.

Witnesseth, That in consideration of the sum of ~~Five Thousand~~ NO CONSIDERATION  
and other good and valuable  
considerations, the receipt whereof is hereby acknowledged, THEODORE E. WHITELEY, acting under and  
by virtue of his attorney as aforesaid

do es grant and convey unto the said party of the second part, their successors and  
assigns,

in fee simple, all that lot of ground situate, lying and being in

Baltimore County, State of Maryland, ~~now known as No.~~

and described as follows, that is to say:

FOR DESCRIPTION, SEE ATTACHED.

C RC/F 21.00  
DEED 0 #  
SH CLERK 21.00  
#16184 0001 R02 T09:16  
01/14/91

THIS IS TO CERTIFY that within instrument was prepared by or under the  
supervision of the undersigned, an attorney duly admitted to practice  
before the Court of Appeals of Maryland.

*James H. Dander*  
Attorney

TRANSFER TAX NOT REQUIRED  
Director of Finance  
BALTIMORE COUNTY MARYLAND  
Per *Banner*  
Authorized Signature  
Date *1-14-91* Sec. 11-85E

PROPERTY TAX  
1-14-91

RECEIVED FOR TRANSFER  
State Department of  
Assessment and Taxation  
1-14-91

ITEM #446

Together, with the buildings and improvements thereupon erected, made or being; and all and every the rights, alleys, ways, waters, privileges, appurtenances and advantages, to the same belonging, or in anywise appertaining; and especially also the privilege of using a private roadway along the following lines as a way to and from the Monkton Road; Beginning at the end of the second line of William Pearce's part and thence south 5 degrees west 31-4/5 perches (\*)

To have and to hold, the lot of ground and premises, above described and mentioned, and hereby intended to be conveyed; together with the rights, privileges, appurtenances and advantages thereto belonging or appertaining unto and to the proper use and benefit of the said party of the second part, their successors and assigns, in fee simple, subject to the terms of that certain Deed of Trust dated August 1990, the said Theodore E. Whiteley, party of the first part, being the Settlor and Income Beneficiary of said Deed of Trust

(\*) south 2 degrees west 16.7 perches and thence south 4 degrees west 24 perches to the center of the aforesaid Monkton Road at the entrance to said John B. Pearce's farm which right of way across his land was granted by the said John B. Pearce to William Pearce, his heirs and assigns, in the deed dated November 7, 1889, and recorded among the Land Records of Baltimore County, in Liber N.B.M. No. 242, at folio 194.

And the said grantor hereby covenant that he has not done or suffered to be done any act, matter or thing whatsoever, to encumber the property hereby conveyed; that he will warrant specially the property hereby granted; and that he will execute such further assurances of the same as may be requisite.

Witness the hand seal of said grantor

WITNESS:

*[Signature]*

*Theodore E. Whiteley* (SEAL)  
Theodore E. Whiteley

by *Theodore E. Whiteley, Jr.* (SEAL)  
Theodore E. Whiteley, Jr.  
his attorney

State of Maryland, Baltimore City, to wit:

I hereby certify, that on this

13<sup>th</sup>

day of August

in the year one thousand nine hundred and ninety

, before me, the subscriber,

a Notary Public of the State of Maryland, in and for Baltimore City aforesaid, personally appeared Theodore E. Whiteley, Jr., Attorney-in-Fact for Theodore E. Whiteley, and in pursuance of the power and authority set forth in the Power-of-Attorney hereinbefore referred to, acknowledged the foregoing to be the act of the said Theodore E. Whiteley, and also acknowledged the foregoing to be the act of Theodore E. Whiteley, Jr. as such Attorney-in-Fact, and further made oath in due form of law that knowledge of the revocation or termination of the above mentioned power of attorney, by any cause whatsoever, was not known.

As witness my hand and Notarial Seal.

(NOTARY SEAL)



My commission expires 8/1/90

Notary Public.

ITEM #446

DESCRIPTION

ALSO BEGINNING in or near the centre of the road leading from the Monkton Road to the Monkton and Wesley Chapel Road at a point bearing south 23 degrees west 22-1/2 feet from an oak tree on the northeast side of said road, thence bounding on said first named road as follows: north 33-1/2 degrees west 82-2/5 perches, north 80-1/2 degrees west, 41-1/5 perches to a point opposite a gate leading to the property of one John E. Pearce, which point is the beginning of a private road hereinafter described, thence north 78 degrees west 43-1/10 perches to a point bearing south 11-3/4 degrees west 1 perch from a stone on the north side of said road, thence bounding on the lands of Slicer Tipton and T. J. Miller, north 11-3/4 degrees east 128 perches to a stone thence bounding on the lands of the said T. J. Miller, north 24-3/4 degrees west 34 perches to a stone on Silas Leight's land, thence bounding thereon, north 3-1/2 degrees east 17-2/5 perches to the centre of a private road, north 48-1/2 degrees west 15-3/4 perches to a near hickory tree thence north 7 degrees east 16-4/5 perches to the east side of the Wesley Chapel and Monkton Road, thence with said road and J. M. Pearce's land north 10-1/2 degrees east 51-3/5 perches north 38-3/4 degrees east 17-3/5 perches, north 30 degrees east 37-3/5 perches to a J. B. Pearce's land, thence south 34 degrees east 2 perches to a stone, thence still south 34 degrees east 42-3/5 perches to a stone near a large pine tree, south 22-1/2 degrees east 15-7/10 perches to two forked poplar trees, thence north 65-1/4 degrees east 32 perches to a place near a marked rock oak tree thence with Terrell's line, south 11 degrees east 32-4/5 perches, north 58-1/4 degrees east 12-1/2 perches to a stone of Sparks' land south 23-3/4 degrees east 34-1/2 perches to a poplar tree, still bounding on said land north 50-1/2 degrees east 107-2/5 perches thence bounding on Ann Johnson's land south 36-1/2 degrees east 54-1/3 perches to a stone, north 60-1/2 degrees east 28-2/5 perches, thence bounding on the lands of William and Herbert Hutchings, south 1/4 degree east 16 perches to a corner of Charles Holme's land, thence bounding thereon as follows: (allowing 27 minutes westerly variation) south 11-3/4 degrees west 53 perches, south 78 degrees east 10-2/5 perches, south 11-1/2 degrees east 19-1/5 perches, south 53 degrees west 20-9/10 perches, south 16-1/4 degrees west 55-4/5 perches, south 19 degrees west 60 perches, south 84-1/4 degrees west 18-2/5 perches, south 56 degrees (inadvertently called "north 56 degrees" in the deed hereinafter mentioned) west 23-1/10 perches, and thence south 37-3/4 degrees west 92-7/10 perches to the place of beginning. CONTAINING 397 acres, 2 roods and 13 square perches, more or less.

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SAVING AND EXCEPTING from the above described parcel of ground the following conveyances:

1. Deed dated March 27, 1953, and recorded among the Land Records of Baltimore County in Liber G.L.B. No. 2307, folio 250 was granted and conveyed by Theodore E. Whiteley and Bettie Whiteley, his wife unto Estelle M. pearce and John Homer Pearce.

2. Deed dated April 21, 1964 and recorded among the Land Records of Baltimore County in Liber R.R.G. No. 4289, folio 11, was granted and conveyed by Theodore Evans Whiteley and Bettie S. Whiteley, his wife unto Kenneth L. Ensor and Virginia M. Ensor, his wife.

ITEM #446

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9. Deed dated October 2, 1979, and recorded among the Land Records of Baltimore County in Liber E.H.K.Jr. No. 6084, folio 189 was granted and conveyed by Theodore E. Whiteley and Bettie S. Whiteley, his wife unto Theodore E. Whiteley, Jr. See also Deed to same parcel dated December 10, 1982 recorded among the Land Records of Baltimore County in Liber E.H.K. Jr. No. 6472, folio 249, was granted and conveyed by Theodore A. E. Whiteley, Jr. unto Theodore A.E. Whiteley, Jr. and Mary E. Whiteley, his wife.

10. Deed dated October 8, 1985 and recorded among the Land Records of Baltimore County in Liber E.H.K.Jr. No. 7147, folio 795 was granted and conveyed by Theodore E. Whiteley and Bettie Whiteley, his wife unto Mary Elizabeth Whiteley.

11. Deed dated December 9, 1969, and recorded among the Land Records of Baltimore County in Liber E.H.K. Jr. No. 5063, folio 505 was granted and conveyed by Theodore E. Whiteley and Bettie Whiteley, his wife unto Baltimore County, Maryland.



1000.2-571

BOUNDARY LINE AGREEMENT  
EXHIBIT 1000.2 PAGE 371

THIS AGREEMENT, made this 14 day of AUGUST, 1993, by and between RAYMOND J. MAROCCO and PIO JOSEPH MAROCCO, co-partners, hereinafter "Maroccos," parties of the first part, and HENRY B. PECK, JR., Successor Trustee to NANCY W. SUSSMAN, ELIZABETH WHITELEY and THEODORE E. WHITELEY, JR., Trustees, hereinafter "Peck," party of the second part.

WHEREAS, the parties own adjacent tracts of land in the Tenth Election District of Baltimore County, Maryland, that belonging to Maroccos comprising 63.36 acres, more or less, and having been acquired by them under a Deed dated September 3, 1957 and recorded among the Land Records of Baltimore County in Liber G.L.B. No. 3222, folio 516 from George M. Hooper; and that belonging to Peck comprising 237.785 acres, more or less, and having been acquired by his predecessors in office, Nancy W. Sussman, Elizabeth Whiteley and Theodore E. Whiteley, Jr., Trustees, under a Deed dated August 13, 1990 and recorded among the Land Records aforesaid in Liber S.M. No. 8692, folio 189, from Theodore E. Whiteley; and

WHEREAS, a field survey commissioned by Peck of his property revealed a discrepancy in the common boundary line between the respective properties of Maroccos and Peck, which the parties wish to rectify by recording an agreement setting forth a course and distance which will hereafter be deemed to comprise the line of division between the two properties, wherefore these presents are executed.

NOW, THEREFORE, THIS BOUNDARY LINE AGREEMENT WITNESSETH, that in consideration of the premises and the sum of Five Dollars (\$5.00), each unto the other paid, the receipt and sufficiency of which are hereby acknowledged, Maroccos and Peck do hereby agree as follows:

1. That the common boundary line between their respective properties shall be as set forth and described in Exhibit A attached hereto and deemed to be a part hereof, and as depicted in Exhibit B attached hereto and deemed to be a part hereof. For title to Maroccos' property, see Deed dated September 3, 1957 and recorded among the Land Records of Baltimore County in Liber G.L.B. No. 3222, folio 516, from George M. Hooper to Raymond J. Marocco and Pio Joseph Marocco, co-partners, in fee simple. For title to the property of Peck, see Deed dated August 13, 1990 and recorded among the Land Records aforesaid in Liber S.M. No. 8692, folio 189, from Theodore E. Whiteley by Theodore E. Whiteley, Jr., his Attorney-in-Fact, to Nancy W. Sussman, Elizabeth Whiteley and Theodore E. Whiteley, Jr., Trustees under the Theodore E. Whiteley Deed of Trust dated August 13, 1990, and as confirmed by Confirmation of Deed of Trust by Theodore E. Whiteley dated June 7, 1991. See also Confirmatory Deed dated September 4, 1990 and recorded among the Land Records aforesaid in Liber S.M. No. 8692, folio 197, from Theodore E. Whiteley by Bettie Whiteley, his Attorney-in-Fact, to Nancy W. Sussman, Elizabeth Whiteley and Theodore E. Whiteley, Jr., as Trustees under the Theodore E. Whiteley Deed of Trust dated August 13, 1990, and as confirmed by Confirmation of Deed of Trust by Theodore E. Whiteley dated June 7, 1991. On November 13, 1991, in accordance with the provisions of the aforesaid Deed of Trust, as confirmed, the said Nancy W. Sussman, Elizabeth Whiteley and Theodore E. Whiteley, Jr., resigned as Trustees and appointed Henry B. Peck, Jr., as Successor Trustee who, under date of December 2, 1991, accepted the terms and conditions of the Theodore E. Whiteley Trust dated August 13, 1990, as confirmed, and agreed to perform all the duties and accept all the obligations therein imposed.

2. Maroccos do hereby grant, release and quitclaim unto Peck, his successors in office and assigns, any and all right, title and interest they may have in and to any property situate to the immediate west of the aforementioned line of division; and Peck does hereby grant, release and quitclaim unto

RECEIVED FOR TRANSFER  
State Department of  
Assessments & Taxation  
for Baltimore County - 1 -

AGRICULTURAL TRANSFER TAX  
NOT APPLICABLE

RT 9-9-93  
By Date

SIGNATURE RT DATE 9-9-93

MICROFILMED

ITEM# 446

Maroccos, their personal representatives, successors and assigns, any and all right, title and interest he may have in and to any property situate to the immediate east of the aforementioned line of division.

3. This Boundary Line Agreement shall be binding on the parties hereto, and on their respective personal representatives, successors and assigns.

4. The parties do hereby agree to execute such further assurances of the same as may be requisite.

AS WITNESS, the hands and seals of the parties hereto.

Barne Jingles  
Witness

Raymond J. Marocco (SEAL)  
Raymond J. Marocco, co-partner

Barne Jingles  
Witness

Pio Joseph Marocco (SEAL)  
Pio Joseph Marocco, co-partner

April D. Norton  
Witness

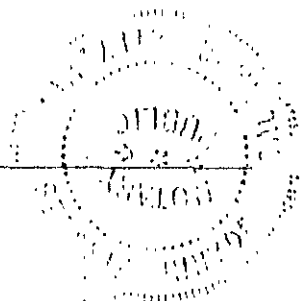
Henry B. Feck, Jr. (SEAL)  
Henry B. Feck, Jr., Successor Trustee

STATE OF MARYLAND, BALTIMORE COUNTY, to wit:

I HEREBY CERTIFY that on this 6 day of August, 1993, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared Raymond J. Marocco, co-partner, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and he acknowledged the foregoing Boundary Line Agreement to be his act.

AS WITNESS, my hand and Notarial seal.

Barne Jingles  
Notary Public



My Commission Expires: Nov. 1, 1993

STATE OF MARYLAND, BALTIMORE COUNTY, to wit:

I HEREBY CERTIFY that on this 6 day of August, 1993, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared Pio Joseph

Marocco, co-partner, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and he acknowledged the foregoing Boundary Line Agreement to be his act.

AS WITNESS, my hand and Notarial seal.

Joanne Jingles  
Notary Public

My Commission Expires: Nov. 1, 1993

STATE OF MARYLAND, BALTIMORE COUNTY, to wit:

I HEREBY CERTIFY that on this 14 day of AUGUST, 1993, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared Henry B. Peck, Jr., successor Trustee, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and he acknowledged the foregoing Boundary Line Agreement to be his act.

AS WITNESS, my hand and Notarial seal.

April D. Notkin  
Notary Public

My Commission Expires: August 27, 1995

Return to:

HAILE & PECK  
405A Central Ave  
TOWSON, MD 21204

GORDON T. LANGDON  
DENNIS H. MILLER  
EDWARD F. DEIACO-LOHN  
BRUCE E. DOAK

**GERHOLD, CROSS & ETZEL**  
*Registered Professional Land Surveyors*

SUITE 100  
320 EAST TOWSONTOWN BOULEVARD  
TOWSON, MARYLAND 21286-5318

410-823-4470  
FAX 410-823-4473

EMERITUS  
PAUL G. BOLLENBERG  
FRED H. BOLLENBERG  
CARL L. GERHOLD  
PHILIP K. CROSS  
OF COUNSEL  
JOHN F. ETZEL  
WILLIAM G. ULRICH

June 8, 1993

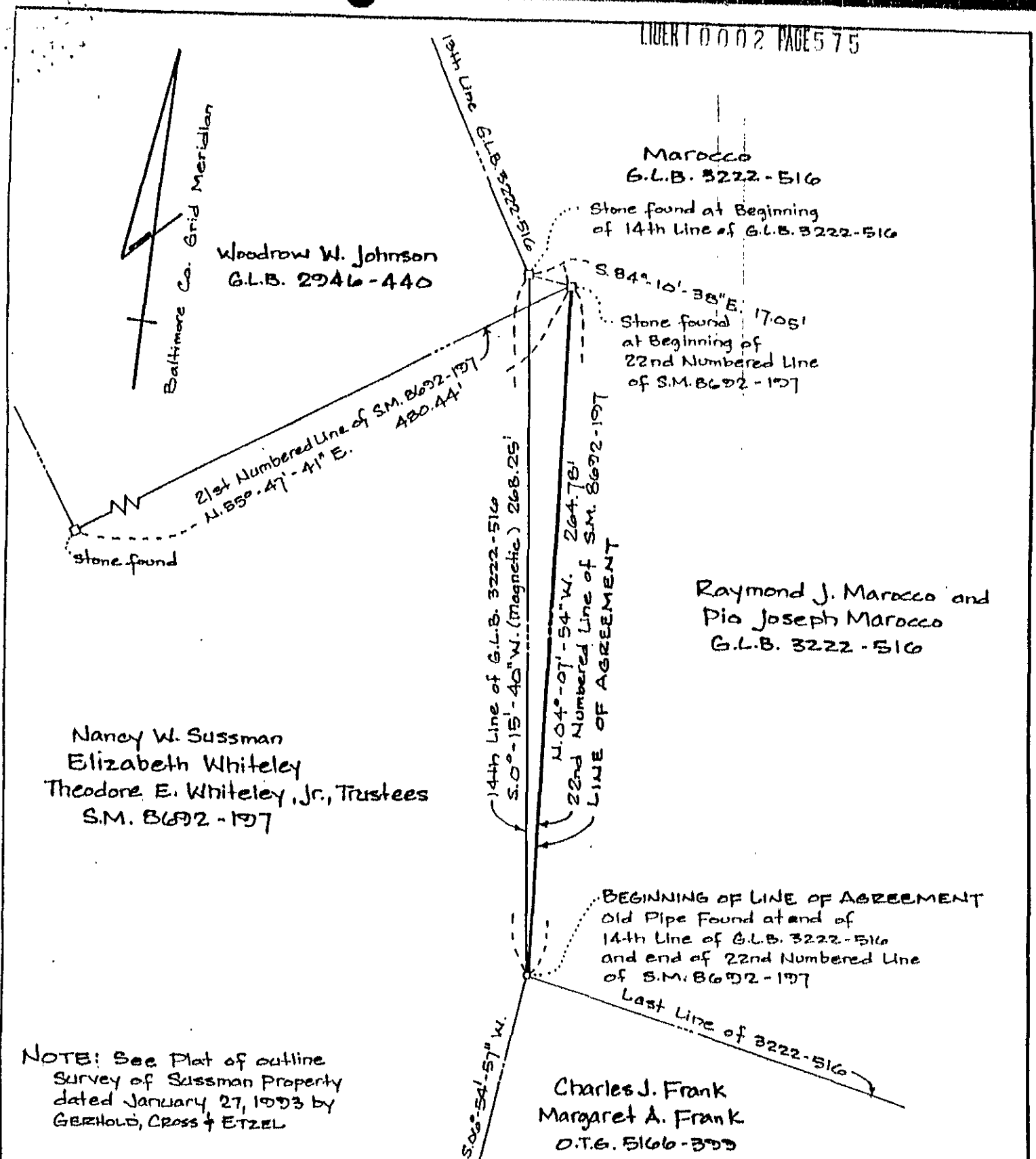
**DESCRIPTION OF LINE OF AGREEMENT BETWEEN NANCY W. SUSSMAN ET AL  
AND RAYMOND J. MAROCCO AND PIO JOSEPH MAROCCO, CO-PARTNERS**

All that Line of Agreement situate, lying and being in the Tenth Election District of Baltimore County, State Maryland and described as follows to wit:

Beginning for the herein described Line of Agreement at a pipe heretofore set at the end of the twenty-second, as numbered, or South 1/4 degree East 16 perches line of a parcel of land described in a Confirmatory Deed dated September 4, 1990 and recorded among the Land Records of Baltimore County in Liber S.M. No. 8692 folio 197 between Theodore E. Whiteley, by Bettie Whiteley, his Attorney-in-Fact and Nancy W. Sussman, Elizabeth Whiteley and Theodore E. Whiteley, Jr., Trustees, said pipe also being at the end of the fourteenth or South 0 degree 15 minutes 40 seconds West (Magnetic Meridian of 1957) 268.25 foot line of a parcel of land which by a deed dated September 3, 1957 and recorded among the Land Records of Baltimore County in Liber G.L.B. No. 3222 folio 516 was conveyed by George M. Hooper, Widower, to Raymond J. Marocco and Pio Joseph Marocco, co-partners and running thence for the aforesaid Line of Agreement, as now surveyed and as the courses are now referred to the Baltimore County Grid Meridian and binding reversely on the aforesaid South 1/4 degree East 16 perches line in the aforesaid Confirmatory Deed between Whiteley and Sussman, North 4 degrees 07 minutes 54 seconds West 264.78 feet to a stone heretofore set at the beginning of the aforesaid South 1/4 degree East 16 perches line, said stone being distant, South 84 degrees 10 minutes 38 seconds East 17.05 feet from a stone heretofore set at the beginning of the aforesaid fourteenth line in the deed from Hooper to Marocco.

Exhibit A

ITEM #446



<p>PLAT TO ACCOMPANY LINE OF AGREEMENT BETWEEN NANCY W. SUSSMAN, ELIZABETH WHITELEY &amp; THEODORE E. WHITELEY, JR., TRUS. AND RAYMOND J. MAROCCO &amp; PIO JOSEPH MAROCCO 10th DISTRICT - BALTIMORE CO., MARYLAND</p>	<p><b>GERHOLD, CROSS &amp; ETZEL</b> REGISTERED PROFESSIONAL LAND SURVEYORS Suite 100 820 East Townsontown Boulevard Towson, Maryland 21286 PH: (410)823-4470 FAX: (410)823-4473</p>
<p>DATE: JUNE 8, 1993. SCALE: 1"=50'</p>	<p>FIELD WORK: G, C, &amp; E. DRAWN: PS FILE NR 214</p>

Exhibit B

ITEM# 446

Baltimore County, Maryland  
Land Instrument Intake Sheet

(Type or print in black ink only—all copies must be legible)

In compliance with Baltimore County Code, 1978, Title 33, Taxation, Article III, §33-126 through 33-140, as amended, and the Annotated Code of Maryland, Tax-Property Article, §12-101 through 12-113, as amended, and Tax-Property Article, §13-101 through 13-408, as amended, it is certified that an instrument of writing dated August 14, 1993 conveying title to, or creating liens or encumbrances upon, real or personal property is offered for record in the County. The property conveyed, or on which a lien or encumbrance is created, is identified as follows: 10-13-020965 (HGR)

Space Reserved for Circuit Clerk Recording Validation

1	Description of Property (Check box(es) for item(s) to be indexed in land records)	<input checked="" type="checkbox"/> Property Tax ID No. <u>10-23-035100</u>	<input type="checkbox"/> Lot/Block <u>Map/Grid/Parcel No.</u>
2	Transferred From	<input type="checkbox"/> Subdivision/Tract	<input type="checkbox"/> Lot Acreage <u>Prior Deed Ref.</u> <u>VAR. L.O.G.</u>
3	Transferred To	<input type="checkbox"/> Street Address (or description if partial conveyance)	
4	Type of Instrument	<input type="checkbox"/> Grantor(s) ( <input type="checkbox"/> check box if additional sheets are attached) <u>RAYMOND J. MAROCCO and P/O JOSEPH MAROCCO</u> <input type="checkbox"/> Owner of record (if different from grantor)	
5	Exemptions (Cite authority or explain briefly)	<input type="checkbox"/> Grantee(s) ( <input type="checkbox"/> check box if additional sheets are attached) <u>HENRY B. PECK, JR. TRUSTEE</u>	
6	Consideration and Tax Calculations Make check payable to Baltimore County, MD (410) 887-2416	<input type="checkbox"/> Deed <input type="checkbox"/> Deed of Trust <input type="checkbox"/> Mortgage <input type="checkbox"/> Lease <input type="checkbox"/> Assignment of Mtg/DOT <input type="checkbox"/> Contract <input type="checkbox"/> Land Installment Cont. <input type="checkbox"/> Power of Attorney <input checked="" type="checkbox"/> Financing Statement <input checked="" type="checkbox"/> Other (Specify) <u>BOUNDARY LINE AGREEMENT</u>	
7	Fees and Recording Instructions Make check payable to Clerk of the Circuit Court (410) 887-2650	<input type="checkbox"/> Baltimore County Exempt Status Claimed: <input type="checkbox"/> Recordation Tax Exempt Status Claimed: <input type="checkbox"/> State Exempt Status Claimed: <input type="checkbox"/> Consideration Amount Purchase Price/Consideration (including any new mortgage) \$ <u>0</u> Real Property Personal Property Balance of Assumed Mortgage Other Total Consideration \$ <u>0</u> or Assessed Factor \$ <u>0</u> Recording Fees Recording Charges \$ <u>28.00</u> State Transfer Tax County Recordation Tax Such charge Other Total \$ <u>28.00</u>	
8	Contact/Mail Information	County Taxes to be Paid Transfer Tax Consideration \$ <u>0</u> x 1.6% = \$ <u>0</u> Office of Finance Use Only Agent: <u>JRP</u> Tax Bill: <u>0</u> C.B. Credit: <u>0</u> Ag. Tax/Other: <u>0</u> Special Recording Instructions (if any)	
9	Certification	Instrument Prepared By Name: <u>HENRY PECK</u> Firm: <u>HARLE &amp; PECK</u> Address: <u>405 A CENTRAL AVE</u> Phone: <u>321-7031</u> Return Instrument To Name: <u>HENRY PECK</u> Address: <u>405 A CENTRAL AVE</u> Phone: <u>321-7031</u> Mailing Address for Tax Bill Name: <u>N/A</u> Address: <u>N/A</u>	
10	Assessment Information (410) 321-2299	I hereby certify under the penalties of perjury that the information given above is true to the best of my personal knowledge and belief. Signature: <u>Henry B. Peck</u> Date: <u>9/9/93</u> IMPORTANT: <u>BOTH THE ORIGINAL DEED AND A PHOTOCOPY MUST ACCOMPANY EACH TRANSFER</u> Yes No Will grantee be living at property conveyed? Yes No Is grantor currently receiving a homeowners' tax credit? Yes No Is property conveyed subject to agricultural transfer tax? If yes, enter amount: Yes No If agricultural assessment on conveyance is to continue, have you attached a letter of intent? Yes No Partial conveyance? If yes, amount of acreage transferred: List improvements conveyed: If subdivision occurred after July 1, indicate former property tax ID number: Optional Expediting Information <input type="checkbox"/> Yes <input type="checkbox"/> No A delay in processing may be incurred if a conveyance deed is not accompanied by an adequate property description, preferably a survey or area calculation. A partial conveyance may require additional processing time. <input type="checkbox"/> Yes <input type="checkbox"/> No Was property surveyed? If yes, attach copy of survey. If partial conveyance, balance of acreage: Complete description of property conveyed (subdivision, lot, block, section, plat ref., acreage): Location and improvement address: Assessment Use Only - Do Not Write Below This Line Terminal Verification Agricultural Verification Trans. Process Verification Whole Desc. Part Deed Plotter Deed Reference Assigned Property No	

CIRCUIT CLERK 35.00  
CC INP 2.00  
AGENT 0.00  
SA CLERK 29.00  
RECEIVED 1001 PM 10/14/93  
09-10-93

TRANSFER TAX NOT REQUIRED  
DIRECTOR OF FINANCE  
BALTIMORE COUNTY MARYLAND  
Date: 9-9-93 Sec 33-139 ACI

ITEM #446



## BOUNDARY LINE AGREEMENT

THIS AGREEMENT, made this 8 day of September, 1993, by and between BEULAH E. ADAMS, widow, of Baltimore County, Maryland, hereinafter "Adams," party of the first part, and HENRY B. PECK, JR., Successor Trustee to NANCY W. SUSSMAN, ELIZABETH WHITELEY and THEODORE E. WHITELEY, JR., Trustees, hereinafter "Peck," party of the second part.

WHEREAS, the parties own adjacent tracts of land in the Tenth Election District of Baltimore County, Maryland, that belonging to Adams comprising thirty and one-half (30 1/2) acres, more or less, and having been acquired by her under a Deed dated April 25, 1946 and recorded among the Land Records of Baltimore County in Liber R.J.S. No. 1433, folio 456 from William H. DeBusk and Elizabeth C. DeBusk, his wife to Julius J. Adams and Beulah E. Adams (the said Julius J. Adams having heretofore departed this life); and that belonging to Peck comprising 237.785 acres, more or less, and having been acquired by his predecessors in office, Nancy W. Sussman, Elizabeth Whiteley and Theodore E. Whiteley, Jr., Trustees, under a Deed dated August 13, 1990 and recorded among the Land Records aforesaid in Liber S.M. No. 8692, folio 189, from Theodore E. Whiteley; and

WHEREAS, a field survey commissioned by Peck of his property revealed a discrepancy in the common boundary lines between the respective properties of Adams and Peck, which the parties wish to rectify by recording an agreement setting forth courses and distances which will hereafter be deemed to comprise the lines of division between the two properties, wherefore these presents are executed.

NOW, THEREFORE, THIS BOUNDARY LINE AGREEMENT WITNESSETH, that in consideration of the premises and the sum of Five Dollars (\$5.00), each unto the other paid, the receipt and sufficiency of which are hereby acknowledged, Adams and Peck do hereby agree as follows:

1. That the common boundary lines between their respective properties shall be as set forth and described in Exhibit A attached hereto and deemed to be a part hereof, and as depicted in Exhibit B attached hereto and deemed to be a part hereof. For title to Adams' property, see Deed dated April 25, 1946 and recorded among the Land Records of Baltimore County in Liber R.J.S. No. 1433, folio 456 from William H. DeBusk and Elizabeth C. DeBusk, his wife to Julius J. Adams and Beulah E. Adams (the said Julius J. Adams having heretofore departed this life). For title to the property of Peck, see Deed dated August 13, 1990 and recorded among the Land Records aforesaid in Liber S.M. No. 8692, folio 189, from Theodore E. Whiteley by Theodore E. Whiteley, Jr., his Attorney-in-Fact, to Nancy W. Sussman, Elizabeth Whiteley and Theodore E. Whiteley, Jr., Trustees under the Theodore E. Whiteley Deed of Trust dated August 13, 1990, and as confirmed by Confirmation of Deed of Trust by Theodore E. Whiteley dated June 7, 1991. See also Confirmatory Deed dated September 4, 1990 and recorded among the Land Records aforesaid in Liber S.M. No. 8692, folio 197, from Theodore E. Whiteley by Bettie Whiteley, his Attorney-in-Fact, to Nancy W. Sussman, Elizabeth Whiteley and Theodore E. Whiteley, Jr., as Trustees under the Theodore E. Whiteley Deed of Trust dated August 13, 1990, and as confirmed by Confirmation of Deed of Trust by Theodore E. Whiteley dated June 7, 1991. On November 13, 1991, in accordance with the provisions of the aforesaid Deed of Trust, as confirmed, the said Nancy W. Sussman, Elizabeth Whiteley and Theodore E. Whiteley, Jr., resigned as Trustees and appointed Henry B. Peck, Jr., as Successor Trustee who, under date of December 2, 1991, accepted the terms and conditions of the Theodore E. Whiteley Trust dated August 13, 1990, as confirmed, and agreed to perform all the duties and accept all the obligations therein imposed.

2. Adams does hereby grant, release and quitclaim unto Peck, his successors in office and assigns, any and all right, title and interest she may have in and to any property situate to the immediate southeast and/or southwest of the aforementioned lines of division; and Peck does hereby grant, release and quitclaim unto Adams, her personal representatives and assigns, any and all right, title and interest

AGRICULTURAL TRANSFER TAX  
NOT APPLICABLE

SIGNATURE HT DATE 9-9-93

RECEIVED FOR TRANSFER  
State Department of  
Assessments & Taxation  
for Baltimore County

HT 9-9-93  
By Date

170m #446



he may have in and to any property situate to the immediate northeast and/or northwest of the  
aforementioned lines of division.

3. This Boundary Line Agreement shall be binding on the parties hereto, and on their respective  
personal representatives, successors and assigns.

4. The parties do hereby agree to execute such further assurances of the same as may be  
requisite.

AS WITNESS, the hands and seals of the parties hereto.

Adam V. Shreves  
Witness

Beulah E. Adams (SEAL)  
Beulah E. Adams

April D. Norton  
Witness

Henry B. Peck, Jr. (SEAL)  
Henry B. Peck, Jr., Successor Trustee

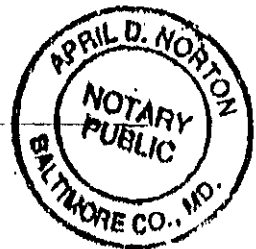
STATE OF MARYLAND, BALTIMORE COUNTY, to wit:

I HEREBY CERTIFY that on this 8 day of September, 1993, before  
me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared Beulah E.  
Adams, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within  
instrument, and she acknowledged the foregoing Boundary Line Agreement to be her act.

AS WITNESS, my hand and Notarial seal.

My Commission Expires: 8/27/95

April D. Norton  
Notary Public



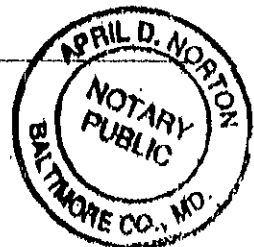
STATE OF MARYLAND, BALTIMORE COUNTY, to wit:

I HEREBY CERTIFY that on this 8 day of September, 1993, before  
me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared Henry B.  
Peck, Jr., successor Trustee, known to me (or satisfactorily proven) to be the person whose name is  
subscribed to the within instrument, and he acknowledged the foregoing Boundary Line Agreement to be  
his act.

AS WITNESS, my hand and Notarial seal.

My Commission Expires: August 27, 1995

April D. Norton  
Notary Public



Return to:  
Naile's Peck  
405 N Central Ave  
Towson, MD 71204

GORDON T. LANGDON  
DENNIS M. MILLER  
EDWARD F. DEIACO-LOHN  
BRUCE R. DOAK

**GERHOLD, CROSS & ETZEL**  
*Registered Professional Land Surveyors*

SUITE 100  
320 EAST TOWSON TOWN BOULEVARD  
TOWSON, MARYLAND 21286-5318

410-823-4470  
FAX 410-823-4473

EMERITUS  
PAUL G. DOLLENBERG  
FRED H. DOLLENBERG  
CARL L. GERHOLD  
PHILIP K. CROSS  
OF COUNSEL  
JOHN F. ETZEL  
WILLIAM G. UIRICH

July 12, 1993

DESCRIPTION OF LINES OF AGREEMENT BETWEEN NANCY W. SUSSMAN ET AL  
AND BEULAH E. ADAMS, WIDOW

All those Lines of Agreement situate, lying and being in the Tenth Election District of Baltimore County, State of Maryland and described as follows to wit:

Beginning for the herein described Lines of Agreement at a bar and metal cap marked "Gerhold-Cross-Etzel Property Marker P-3", now set, at the beginning of the sixteenth, or South 11 degrees East 32 4/5 perches line of a parcel of land described in a Confirmatory Deed dated September 4, 1990 and recorded among the Land Records of Baltimore County in Liber S.M. No. 8692 folio 197 between Theodore E. Whiteley, by Bettie Whiteley, his Attorney-in-Fact and Nancy W. Sussman, Elizabeth Whiteley and Theodore E. Whiteley, Jr., Trustees, and running thence for the herein described Lines of Agreement, as now surveyed and marked and as the courses are now referred to the Baltimore County Grid Meridian and running with and binding on said sixteenth line and on the seventeenth line and on a part of the eighteenth line (said eighteenth line having been omitted from the aforesaid description) the three following courses and distances viz: South 16 degrees 51 minutes 43 seconds East, crossing an American Telephone and Telegraph Company right of way line, 20 feet wide, 585.33 feet to a bar and metal cap marked "Gerhold-Cross-Etzel Property Marker P-3", now set, North 52 degrees 23 minutes 17 seconds East 206.25 feet to a stone, heretofore set, at the end of the aforesaid seventeenth line and South 44 degrees 44 minutes 25 seconds East, binding reversely on a part of the third or North 37 degrees 10 minutes West 278.00 foot line of a parcel of land which by a deed dated July 7, 1969 and recorded among the Land Records of Baltimore County in Liber E.H.K.Jr. No. 5626 folio 380 was conveyed by Conduit, Inc. to Raymond J. Marocco et al, 30 feet, more or less, or until it intersects the south-easternmost boundary of Beulah E. Adams, widow.

NOTE: The Lines of Agreement herein above described shall be the boundary lines between the property of Nancy W. Sussman, et al on the southwest and southeast sides and the property of Beulah E. Adams on the northeast and northwest sides. The three lines of Agreement lie on the southwest side and on the southeast side, for a part, of the Adams parcel of land adjoining and/or lying near the fifth or South 7 1/4 degrees East 429 foot line, the sixth or South 20 degrees East 297 foot line and the seventh or North 43 degrees East 297 foot line of the aforesaid Beulah E. Adams parcel of land.

Exhibit A

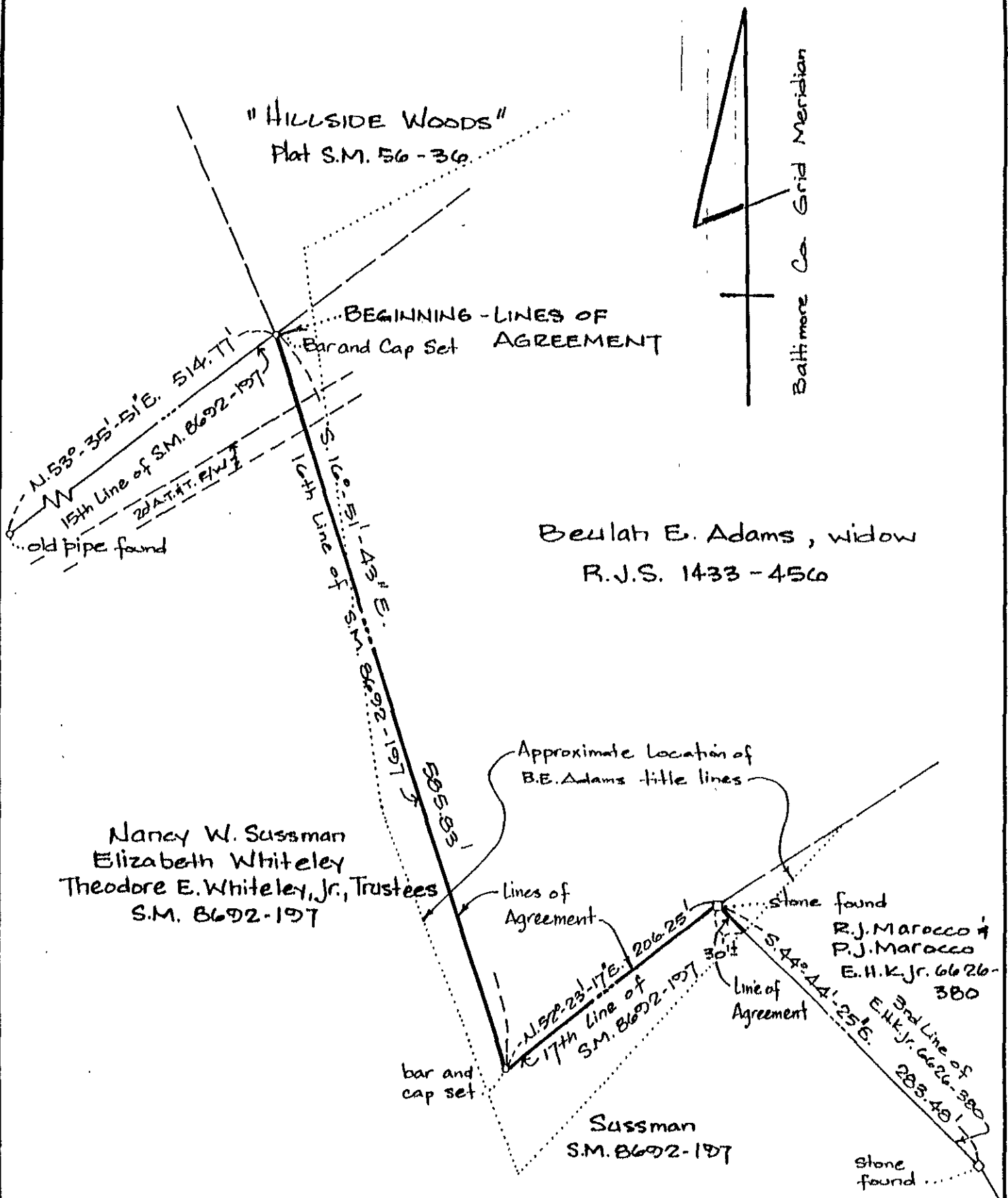
Item #446

**GERHOLD, CROSS & ETZEL**  
*Registered Professional Land Surveyors*

July 12, 1997

DESCRIPTION OF LINES OF AGREEMENT BETWEEN NANCY W. SUSSMAN ET AL  
AND BEULAH E. ADAMS, WIDOW  
(2)

For Beulah E. Adams Title see deed dated April 25, 1946 and  
recorded among the Land Records of Baltimore County in Liber  
R.J.S. No. 1433 folio 456 from William H. DeBusk and wife to  
Julius J. Adams and Beulah E. Adams, his wife.



Note: See plat of outline  
Survey of Sussman Property  
dated January 27, 1993 by  
GERHOLD, CROSS & ETZEL

ITEM # 446

**GERHOLD, CROSS & ETZEL**  
REGISTERED PROFESSIONAL LAND SURVEYORS

Suite 100  
320 East Townsontown Boulevard  
Towson, Maryland 21286  
PH: (410) 823-4470 FAX: (410) 823-4473

PLAT TO ACCOMPANY LINES OF  
AGREEMENT BETWEEN  
NANCY W. SUSSMAN, ELIZABETH  
WHITELEY & THEODORE E. WHITELEY, JR.  
TRUSTEES  
AND  
BEULAH E. ADAMS, WIDOW  
10th DISTRICT - BALTIMORE Co., MD

FIELD WORK: G.C. & E.

DRAWN: PS

DATE: JULY 12, 1993

SCALE: 1" = 100'

# Baltimore County, Maryland Land Instrument Intake Sheet

(Type or print in black ink only—all copies must be legible)

In compliance with Baltimore County Code, 1978, Title 33, Taxation, Article III, § 33-126 through 33-140, as amended, and the Annotated Code of Maryland, Tax-Property Article, § 12-101 through 12-113, as amended, and Tax-Property Article, § 13-101 through 13-408, as amended, it is certified that an instrument of writing dated SEPTEMBER 8, 1993 conveying title to, or creating liens or encumbrances upon, real or personal property is offered for record in the County. The property conveyed, or on which a lien or encumbrance is created, is identified as follows: 10-01-013025 (PG 1)

1	Description of Property (Check box(es) for item(s) to be indexed in land records)	Property Tax ID No. <u>10-23-035100</u>	Lot/Block <u>10-23-035100</u>	Map/Grid/Parcel No.
		Subdivision/Tract	Lot Acreage	Prior Deed Ref.
2	Transferred From	Grantor(s) ( ) check box if additional sheets are attached <u>BEULAH E. ADAMS</u>		
		Owner of record (if different from grantor)		
3	Transferred To	Grantee(s) ( ) check box if additional sheets are attached <u>HENRY B. PECK, JR., TRUSTEE</u>		
4	Type of Instrument	<input type="checkbox"/> Deed <input type="checkbox"/> Deed of Trust <input type="checkbox"/> Mortgage <input type="checkbox"/> Lease	<input type="checkbox"/> Assignment of Mtg/DOE <input type="checkbox"/> Contract <input type="checkbox"/> Land Installment Cont <input type="checkbox"/> Power of Attorney	<input type="checkbox"/> Financing Statement <input checked="" type="checkbox"/> Other (Specify) <u>BOUNDARY LINE AGREEMENT</u>
5	Exemptions (Cite authority or explain briefly)	Baltimore County Exempt Status Claimed: Recordation Tax Exempt Status Claimed: State Exempt Status Claimed:		
6	Consideration and Tax Calculations Make check payable to Baltimore County, MD (410) 887-2416	Consideration Amount		County Taxes to be Paid
		Purchase Price/Consideration (including any new mortgage) Real Property Personal Property Balance of Assumed Mortgage Other Total Consideration or Assessed Factor	\$ <u>0</u> \$ <u>0</u> \$ <u>0</u> \$ <u>0</u> \$ <u>0</u>	Transfer Tax Consideration \$ <u>0</u> x 1.6% = \$ <u>0</u> Office of Finance Use Only Agent: <u>9/93</u> Tax Bill: C.B. Credit: <u>—</u> Ag Tax/Other:
7	Fees and Recording Instructions Make check payable to Clerk of the Circuit Court (410) 887-2650	Recording Fees		Special Recording Instructions (if any)
		Recording Charges State Transfer Tax County Recordation Tax Surcharge Other Total	\$ <u>27.00</u> \$ <u>27.00</u>	
8	Contact/Mail Information	Instrument Prepared By		Return Instrument To
		Name: <u>HENRY PECK</u> Firm: <u>HAILE &amp; PECK</u> Address: <u>405A CENTRAL AVE</u> <u>TOWSON, MD 21204</u> Phone: <u>321-7037</u>	Name: <u>HENRY PECK</u> Address: <u>405A CENTRAL AVE</u> <u>TOWSON, MD 21204</u>	Mailing Address for Tax Bill Name: Address: <u>N/A</u>
9	Certification	I hereby certify under the penalties of perjury that the information given above is true to the best of my personal knowledge and belief. Signature: <u>[Signature]</u> Date: <u>9/9/93</u>		
10	Assessment Information (410) 321-2299	IMPORTANT: <u>BOTH THE ORIGINAL DEED AND A PHOTOCOPY MUST ACCOMPANY EACH TRANSFER</u>		
		Yes No Will grantee be living at property conveyed? Yes No Is grantor currently receiving a homeowners' tax credit? Yes No Is property conveyed subject to agricultural transfer tax? If yes, enter amount: Yes No If agricultural assessment on conveyance is to continue, have you attached a letter of intent? Yes No Partial conveyance? If yes, amount of acreage transferred: List improvements conveyed: If subdivision occurred after July 1, indicate former property tax ID number:		
		Optional Expediting Information A delay in processing may be incurred if a conveyance deed is not accompanied by an adequate property description, preferably a survey or area calculation. A partial conveyance may require additional processing time. <input type="checkbox"/> Yes <input type="checkbox"/> No Was property surveyed? If yes, attach copy of survey. If partial conveyance, balance of acreage: Complete description of property conveyed (subdivision, lot, block, section, plat (cf., acreage): Location and improvement address:		
		Assessment Use Only - Do Not Write Below This Line Terminal Verification Agricultural Verification Tran. Process Verification Whole Part Deed Plotter Deed Reference Assigned Property No		

ITEM #446

Recorded 9/20/93 = SM 10021/410

24

THIS DEED, made this 18 day of September, 1993, by and between MARY ELIZABETH WHITELEY, of the District of Columbia, Grantor, and HENRY B. PECK, JR., Successor Trustee to NANCY W. SUSSMAN, ELIZABETH WHITELEY and THEODORE E. WHITELEY, JR., Trustees, Grantee.

WHEREAS, Grantor and Grantee own adjacent parcels of land in the Tenth Election District of Baltimore County, Maryland, in the vicinity of Gerting Road; and

WHEREAS, a portion of Grantee's property consists of a fee simple access strip leading to Gerting Road which is too narrow to be of any practical use, it being less than six (6) feet in width; and

WHEREAS, Grantor owns property adjacent to the existing narrow access strip and has agreed to convey directly to Grantee a small parcel of her property containing 0.175 acre of ground, more or less, in the form of a strip of land which, when added to the strip owned by Grantee, will result in Grantee owning a 20-foot access strip; and in consideration of Grantor's agreement, Grantee is willing to convey a parcel of identical acreage elsewhere along the common boundary line between Grantor's property and Grantee's property so that the total acreage owned by each party before these conveyances will be identical to that owned by each party following these conveyances; and

WHEREAS, this conveyance is considered to be part of a property line adjustment between adjacent owners and has been approved as such by Baltimore County, Maryland, wherefore these presents are executed.

NOW, THEREFORE, in consideration of the premises and the sum of Five Dollars, there being no actual monetary consideration paid or to be paid in connection with this transfer, Grantor does grant and convey unto Grantee, his successors in office and assigns, in fee simple, all that parcel of ground situate, lying and being in the Tenth Election District of Baltimore County, Maryland, and more particularly described as follows:

BEGINNING for the same at a railroad spike, now set, in or near the center of Gerting Road and at the beginning of the sixth or North 12 degrees 56 minutes 15 seconds East 512.99 foot line of a parcel of land which by a deed dated October 8, 1985 and recorded among the Land Records of Baltimore County in Liber E.H.K. Jr. No. 7147, folio 795, was conveyed by Theodore E. Whiteley and wife to Mary Elizabeth Whiteley, their daughter, and running thence and leaving said Gerting Road and running with and binding on said sixth line and on a part of the seventh line of said parcel of land, as now surveyed, and as the courses are now referred to the Baltimore County Grid Meridian the two following courses and distances viz: North 4 degrees 13 minutes 33 seconds East 512.99 feet to a bar and metal cap marked "Gerhold-Cross-Etzel Property Marker P-3" and North 13 degrees 20 minutes 16 seconds West 47.09 feet, to a bar and metal cap marked "Gerhold-Cross-Etzel Property Marker P-3" thence leaving the said outlines and running for a line of division, now made in 1993, and as a part of a "Property Line Adjustment" as approved by Baltimore County, Maryland, South 4 degrees 13 minutes 33 seconds West 557.69 feet to a bar and metal cap marked "Gerhold-Cross-Etzel Property Marker P-3" in or near the center of Gerting Road and to intersect the fifth line of the aforesaid parcel of land which was conveyed by Whiteley to Whiteley and thence running with and binding on a part of said fifth line and binding in or near the center of Gerting Road, South 84 degrees 58 minutes 31 seconds East 14.21 feet to the place of beginning. Containing 0.175 of an acre of land more or less.

BEING a portion of the property which by Deed dated October 8, 1985 and recorded among the Land Records of Baltimore County in Liber E.H.K. Jr. No. 7147, folio 795 was granted and conveyed by Theodore E. Whiteley and Bettie Whiteley, his wife, to Mary Elizabeth Whiteley, in fee simple.

TOGETHER with the buildings and improvements thereupon erected, made or being and all and every the rights, alleys, ways, waters, easements, privileges, appurtenances and advantages to the same belonging or in anywise appertaining.

TO HAVE AND TO HOLD the said lot of ground and premises above described and mentioned, and hereby intended to be conveyed, together with the rights, easements, privileges, appurtenances and advantages thereto belonging or appertaining unto and to the proper use and benefit of the said Grantee, his successors in office and assigns, in fee simple.

SAID GRANTOR hereby covenants that she has not done or suffered to be done any act, matter or thing whatsoever to encumber the property hereby conveyed, that she will warrant specially the property granted, and that she will execute such further assurances of the same as may be requisite.

AS WITNESS the hand and seal of the Grantor.

April D. Norton  
Witness

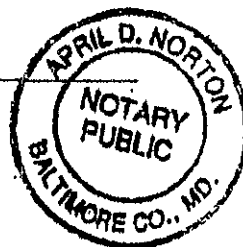
Mary Elizabeth Whiteley (SEAL)  
MARY ELIZABETH WHITELEY

STATE OF Maryland, COUNTY OF Baltimore, to wit:

I HEREBY CERTIFY that on this 15<sup>th</sup> day of September, 1993, before me, a Notary Public in and for the State and County aforesaid, personally appeared Mary Elizabeth Whiteley, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within Deed, and acknowledged that she executed the same for the purposes therein contained.

AS WITNESS my hand and notarial seal.

April D. Norton  
Notary Public



My Commission Expires: 8-27-95

THIS IS TO CERTIFY that the within instrument was prepared by or under the supervision of the undersigned, Henry B. Peck, Jr., an attorney at law duly admitted to practice before the Court of Appeals of Maryland.

Henry B. Peck, Jr.  
Henry B. Peck, Jr.

After recording, return to:

Haile & Peck  
405-A Central Avenue  
Towson, MD 21204

Recorded 9/20/93 - 2

SM 10021/413

THIS DEED, made this 18 day of September, 1993, by and between HENRY B. PECK, JR., Successor Trustee to NANCY W. SUSSMAN, ELIZABETH WHITELEY and THEODORE E. WHITELEY, JR., Trustees, Grantor, and MARY ELIZABETH WHITELEY, of the District of Columbia, Grantee.

WHEREAS, Grantor and Grantee own adjacent parcels of land in the Tenth Election District of Baltimore County, Maryland, in the vicinity of Gerding Road; and

WHEREAS, as will appear by reference to a Deed dated of even date herewith and recorded or intended to be recorded among the Land Records of Baltimore County immediately prior hereto, the parties agreed to exchange parcels of land of identical size, as a property line adjustment, in order to permit Grantor herein to have a twenty (20) foot wide fee simple access strip leading to Gerding Road; and

WHEREAS, by said Deed dated of even date herewith, Grantee herein did grant and convey unto Grantor herein a parcel of land containing 0.175 of an acre of land, more or less, and Grantor now desires to convey to Grantee a parcel of equivalent acreage, wherefore these presents are executed.

NOW, THEREFORE, in consideration of the premises and the sum of Five Dollars, there being no actual monetary consideration paid or to be paid in connection with this transfer, Grantor does grant and convey unto Grantee, her personal representatives and assigns, in fee simple, all that parcel of ground situate, lying and being in the Tenth Election District of Baltimore County, Maryland, and more particularly described as follows:

Beginning for the same at a pipe heretofore set at the beginning of the ninth or North 45 degrees 09 minutes West 252.40 foot line of a parcel of land which by a deed dated October 8, 1985 and recorded among the Land Records of Baltimore County in Liber E.H.K. Jr. No. 7147 folio 795 was conveyed by Theodore E. Whiteley and wife to Mary Elizabeth Whiteley, their daughter, and running thence with and binding on said ninth line and on a part of the tenth line of said parcel of land as now surveyed, and as the courses are now referred to the Baltimore County Grid Meridian the two following courses and distances viz: North 53 degrees 55 minutes 04 seconds West 252.20 feet to a pipe, heretofore set, and North 16 degrees 43 minutes 39 seconds West 99.81 feet to a bar and metal cap marked "Gerhold-Cross-Etzel Property Marker P-3" and thence leaving said outlines and running for a line of division, now made in 1993, and as a part of a "Property Line Adjustment" as approved by Baltimore County, Maryland, South 43 degrees 36 minutes 35 seconds East 337.15 feet to the place of beginning.

Containing 0.175 of an acre of land more or less.

For title, see Deed dated August 13, 1990, and recorded among the Land Records aforesaid in Liber S.M. No. 8692, folio 189, from Theodore E. Whiteley by Theodore E. Whiteley, Jr., his Attorney-in-Fact, to Nancy W. Sussman, Elizabeth Whiteley and Theodore E. Whiteley, Jr., Trustees under the Theodore E. Whiteley Deed of Trust dated August 13, 1990, and as confirmed by Confirmation of Deed of Trust by Theodore E. Whiteley dated June 7, 1991. See also Confirmatory Deed dated September 4, 1990, and recorded among the Land Records aforesaid in Liber S.M. No. 8692, folio 197, from Theodore E. Whiteley by Bettie Whiteley, his Attorney-in-Fact, to Nancy W. Sussman, Elizabeth Whiteley and Theodore E. Whiteley, Jr., as Trustees under the Theodore E. Whiteley Deed of Trust dated August 13, 1990, and as confirmed by Confirmation of Deed of Trust by Theodore E. Whiteley dated June 7, 1991. On November 13, 1991, in accordance with the provisions of the aforesaid Deed of Trust, as confirmed, the said Nancy W. Sussman, Elizabeth Whiteley and Theodore E. Whiteley, Jr., resigned as Trustees and appointed Henry B. Peck, Jr., as Successor Trustee who, under date of December 2, 1991, accepted the terms and conditions of the Theodore E. Whiteley Trust dated August 13, 1990, as confirmed, and agreed to perform all the duties and accept all the obligations therein imposed.

ITEM #446



TOGETHER with the buildings and improvements thereupon erected, made or being and all and every the rights, alleys, ways, waters, easements, privileges, appurtenances and advantages to the same belonging or in anywise appertaining.

TO HAVE AND TO HOLD the said lot of ground and premises above described and mentioned, and hereby intended to be conveyed, together with the rights, easements, privileges, appurtenances and advantages thereto belonging or appertaining unto and to the proper use and benefit of the said Grantee, her personal representatives and assigns, in fee simple.

SAID GRANTOR hereby covenants that he will warrant specially the property hereby granted, and that he will execute such further assurances of the same as may be requisite.

AS WITNESS the hand and seal of the Grantors.

April D. Norton  
Witness

Henry B. Peck, Jr. (SEAL)  
HENRY B. PECK, JR., Successor Trustee

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY that on this 18<sup>th</sup> day of September, 1993, before me, a Notary Public in and for the State and County aforesaid, personally appeared Henry B. Peck, Jr., Successor Trustee to Nancy W. Sussman, Elizabeth Whiteley and Theodore E. Whiteley, Jr., Trustees, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within Deed, and acknowledged that he executed the same for the purposes therein contained.

AS WITNESS my hand and notarial seal.

April D. Norton  
Notary Public



My Commission Expires: August 27, 1995

THIS IS TO CERTIFY that the within instrument was prepared by or under the supervision of the undersigned, Henry B. Peck, Jr., an attorney at law duly admitted to practice before the Court of Appeals of Maryland.

Henry B. Peck, Jr.  
Henry B. Peck, Jr.

After recording, return to:

Halle & Peck  
405-A Central Avenue  
Towson, MD 21204

ITEM # 446

DEED - FEE SIMPLE - INDIVIDUAL GRANTOR - LONG FORM

E-6013-92

Account # 10-10-23-035100  
part of # 10-20-00-007945

10-23-035100

**This Deed,** MADE THIS 23rd day of September

in the year one thousand nine hundred and ninety-three, by and between  
HENRY B. PECK, JR., Successor Trustee to Theodore E. Whiteley, Jr., Nancy W. Sussman  
and Elizabeth Whiteley under the Theodore E. Whiteley Deed of Trust dated August 13,  
1990 as confirmed by Confirmation of Deed of Trust by Theodore E. Whiteley dated  
June 7, 1991, of the first part, and

GENERAL GERMAN AGED PEOPLE'S HOME OF BALTIMORE, a Maryland corporation, party

of the second part

WITNESSETH, That in consideration of the sum of NINE HUNDRED THIRTY-FIVE THOUSAND DOLLARS  
(\$935,000.00), and other good and valuable consideration, the receipt whereof is  
hereby acknowledged,

the said Grantor, pursuant to the powers vested in him,

do es grant and convey to the said Grantee, Its

personal representatives, successors and assigns, in fee simple, all

that lot of ground situate in Baltimore County, State of Maryland,  
and described as follows, that is to say:

FOR LEGAL DESCRIPTION, SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

RECEIVED FOR TRANSFER  
State Department of  
Assessments & Taxation  
for Baltimore County

17 9-28-93  
Date

AGRICULTURAL TRANSFER TAX  
NEW APPLICABLE LETTER OF INTENT

DATE 9/28/93

ITEM # 446

**EXHIBIT A**

GORDON T. LAWSON  
DENNIS M. MILLER  
EDWARD F. DEJASS-LOHN  
BRUCE E. DOAN

**GERHOLD, Cross & Etzel**  
*Registered Professional Land Surveyors*

SUITE 100  
220 EAST TOWSONTOWN BOULEVARD  
TOWSON, MARYLAND 21206-5318

410-623-4470  
FAX 410-623-4473

ERNEST  
PAUL S. COLLENNERS  
FRED H. COLLENNERS  
CARL L. GERHOLD  
PHILIP H. CROSS  
OF COUNSEL  
JOHN F. ETZEL  
WILLIAM G. ULRICH

September 21, 1993

**HENRY B. PECK, JR., SUCCESSOR TRUSTEE**  
237.785 ACRES, MORE OR LESS

All that piece or parcel of land situate, lying and being in the Tenth Election District of Baltimore County, State of Maryland and described as follows to wit:

Beginning for the same at a point in the center of Gerting Road and at the beginning of a parcel of land described in a Confirmatory Deed dated September 4, 1990 and recorded among the Land Records of Baltimore County in Liber S.M. No. 8692 folio 197 between Theodore E. Whiteley, by Bettie Whiteley, his Attorney-in-Fact, and Nancy W. Sussman, Elizabeth Whiteley and Theodore E. Whiteley, Jr., Trustees and running thence and binding on a part of the first line of the aforesaid parcel of land and binding in or near the center of said Gerting Road, as now surveyed, and as the courses are now referred to the Baltimore County Grid Meridian, North 38 degrees 52 minutes 48 seconds West 679.43 feet, thence leaving said road and outline and running to and binding reversely on the tenth or South 30 degrees 42 minutes West 629.88 foot line and binding reversely on the ninth, eighth, seventh, and on a part of the sixth lines of a parcel of land which by a deed dated November 1, 1971 and recorded among the Land Records of Baltimore County in Liber O.T.O. No. 5230 folio 918 was conveyed by Theodore E. Whiteley and wife to John H. Ensor and wife, the five following courses and distances viz: North 21 degrees 59 minutes 19 seconds East, passing over a pipe heretofore set at the distance of 20.52 feet, in all, 632.06 feet to a pipe heretofore set, North 22 degrees 38 minutes 42 seconds East 190.27 feet to a pipe heretofore set, North 12 degrees 14 minutes 49 seconds West 150.58 feet to a pipe heretofore set, North 15 degrees 07 minutes 50 seconds East 296.29 feet to a pipe heretofore set, and South 89 degrees 37 minutes 17 seconds West 86.27 feet to a bar and metal cap marked "Gerhold-Cross-Etzel Property Marker P-3", now set, and at the beginning of the North 3 degrees 05 minutes 20 seconds West 705.82 foot line of Lot No. 1 as shown on a plat entitled "Section Four Plat of Part of Fox Hill Farm" which plat is recorded among the Plat Records of Baltimore County in Plat Book E.H.K.Jr. No. 44 folio 45 and by a deed dated May 8, 1979 and recorded among the Land Records of Baltimore County in Liber E.H.K.Jr. No. 6020 folio 676 was conveyed by Theodore E. Whiteley and wife to Conrad E. Nagle and wife, thence running with and binding on said line and running with and binding on the easterly, northerly, and westerly

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**GERHOLD, CROSS & ETZEL**  
Registered Professional Land Surveyors

September 21, 1993

HENRY B. PECK, JR., SUCCESSOR TRUSTEE  
237.785 ACRES, MORE OR LESS  
(2)

outlines of said Lot No. 1 as shown on said plat, the ten following courses and distances viz: North 11 degrees 55 minutes 07 seconds West 706.01 to a pipe heretofore set, North 27 degrees 43 minutes 09 seconds West 99.95 feet to a pipe heretofore set, North 31 degrees 59 minutes 54 seconds West 192.09 feet to a pipe heretofore set, North 25 degrees 53 minutes 45 seconds West 145.06 feet to a pipe heretofore set, North 86 degrees 56 minutes 35 seconds West 403.07 feet, to a pipe heretofore set, South 14 degrees 40 minutes 27 seconds West 618.87 feet to a pipe heretofore set, South 17 degrees 09 minutes 38 seconds West 381.97 feet, to a pipe heretofore set, South 86 degrees 47 minutes 42 seconds West 24.81 feet to a pipe heretofore set, South 13 degrees 01 minutes 12 seconds East 208.42 feet to a bar and metal cap marked "Gerhold-Cross-Etzel Property Marker P-3", now set, and South 4 degrees 13 minutes 33 seconds West 569.48 feet to a bar and metal cap marked "Gerhold-Cross-Etzel Property Marker P-3", now set, in or near the center of Gerting Road and to intersect the second line of the aforesaid parcel of land described in the Confirmatory Deed by and between Whiteley and Sussman, thence running with and binding on a part of said second line and binding in or near the center of Gerting Road, North 84 degrees 58 minutes 31 seconds West 5.79 feet to a railroad spike, now set, at the beginning of a parcel of land which by a deed dated September 18, 1993 and recorded among the Land Records of Baltimore County in Liber B.M. No. 10021 folio 410 was conveyed by Mary Elizabeth Whiteley to Henry B. Peck, Jr., Successor Trustee, thence continuing to bind in or near the center of Gerting Road and binding reversely on the last or South 84 degrees 58 minutes 31 seconds East 14.21 foot line of said last mentioned parcel of land, North 84 degrees 58 minutes 31 seconds West 14.21 feet to a bar and metal cap marked "Gerhold-Cross-Etzel Property Marker P-3", now set, thence leaving Gerting Road and binding reversely on the third line of said last mentioned parcel of land, North 4 degrees 13 minutes 33 seconds East 557.69 feet to a bar and metal cap marked "Gerhold-Cross-Etzel Property Marker P-3", now set, and to intersect the seventh or North 6 degrees 09 minutes 30 seconds West 267.40 foot line of a parcel of land which by a deed dated October 8, 1985 and recorded among the Land Records of Baltimore County in Liber

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EDMOND Y. LAMSDON  
DENNIS M. MILLER  
EDWARD F. DEJAGG-LOHR  
BRUCE E. GOM

**GERHOLD, CROSS & ETZEL**  
*Registered Professional Land Surveyors*

SUITE 100  
320 EAST TOWSONTOWN BOULEVARD  
TOWSON, MARYLAND 21286-5318

410-823-4470  
FAX 410-823-4478

EMERTUS  
PAUL S. DOLLENGER  
FRED M. DOLLENGER  
CARL L. GERHOLD  
PHILIP H. CROSS  
OP GAWWEL  
JOHN F. ETZEL  
WILLIAM S. ULAM

September 21, 1993

HENRY B. PECK, JR., SUCCESSOR TRUSTEE  
237.785 ACRES, MORE OR LESS  
(3)

E.H.K.Jr. No. 7147 folio 795 was conveyed by Theodore E. Whiteley and wife to Mary Elizabeth Whiteley, their daughter, thence running with and binding on a part of said seventh line and running with and binding on the eighth line, the two following courses and distances viz: North 13 degrees 20 minutes 16 seconds West 217.63 feet to a pipe heretofore set and South 86 degrees 32 minutes 26 seconds West 52.08 feet to a pipe, heretofore set, at the beginning of a parcel of land which by a deed dated September 18, 1993 and recorded among the Land Records of Baltimore County in Liber S.M. No. 10021 folio 413 was conveyed by Henry B. Peck, Jr., Successor Trustee to Mary Elizabeth Whiteley, thence binding reversely on the last line of said parcel of land, North 43 degrees 36 minutes 35 seconds West 337.15 feet to a bar and metal cap marked "Gerhold-Cross-Etzel Property Marker P-3", now set, and to intersect the tenth line of the aforesaid parcel of land which was conveyed by Theodore E. Whiteley and wife to Mary Elizabeth Whiteley, their daughter, thence running with and binding on a part of said tenth line, North 16 degrees 43 minutes 39 seconds West 230.17 feet to the end of the twelfth or South 8 degrees 05 minutes 20 seconds East 30 foot line of a parcel of land which by a deed dated December 10, 1982 and recorded among the Land Records of Baltimore County in Liber E.H.K.Jr. No. 6472 folio 249 was conveyed by Theodore A. E. Whiteley, Jr. to Theodore A. E. Whiteley, Jr. and wife, thence binding reversely on said twelfth line and reversely on the eleventh line of said parcel of land, the two following courses and distances viz: North 16 degrees 43 minutes 39 seconds West 30.00 feet to a pipe, heretofore set, and North 4 degrees 29 minutes 47 seconds West, passing over a pipe, heretofore set, at the distance of 485.22 feet, in all, 535.27 feet to a bar and metal cap marked "Gerhold-Cross-Etzel Property Marker P-3", now set, in the North 80 degrees 49 minutes 18 seconds West 405.35 foot line of Lot 22 as shown on a plat entitled "Plat 2 Section 'C' Fox Hill Farm" which plat is recorded among the Plat Records of Baltimore County in Plat Book E.H.K.Jr. No. 39 folio 111, thence binding reversely on a part of said line and continuing to bind on the outlines as shown on said plat, the three following courses and distances viz: South 89 degrees 27 minutes 00 seconds East, passing over a pipe, heretofore set, at a distance

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GERHOLD, CROSS & ETZEL  
Registered Professional Land Surveyors

September 21, 1993

HENRY B. PECK, JR., SUCCESSOR TRUSTEE  
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(4)

of 178.55 feet, in all, 178.65 feet, North 0 degrees 33 minutes 00 seconds East 759.86 feet to a bar and metal cap marked "Gerhold-Cross-Etzel Property Marker P-3", now set, and North 89 degrees 27 minutes 00 seconds West, binding on the south side of a strip of land 70 feet wide designated "70 Feet Reserved For Future Roadway" and shown on said plat, 475.15 feet to the east right of way line of the cul-de-sac of Whiteley Road, thence binding on the right of way line of said cul-de-sac, as shown on the aforesaid plat, the two following lines viz: Northwestery by a line curving to the left having a radius of 50 feet for an arc distance of 40.00 feet (the chord of said arc bearing North 17 degrees 56 minutes 36 seconds West 38.94 feet) and Northwestery by a line curving to the right having a radius of 50 feet for an arc distance of 36.14 feet (the chord of said arc bearing North 20 degrees 09 minutes 18 seconds West 35.36 feet) to the southwest corner of Lot 20 as shown and laid out on a plat entitled "Amended Plat Section B Fox Hill Farm", which plat is recorded among the Plat Records of Baltimore County in Plat Book O.T.O. No. 34 folio 122, thence leaving said Whiteley Road, 50 feet wide and binding on the southernmost line of Lot 20 and running with and binding on the north side of the aforesaid strip of land, 70 feet wide, as shown on the aforesaid plat entitled "Plat 2 Section 'C' Fox Hill Farm", South 89 degrees 27 minutes 00 seconds East 500.00 feet, to a pipe, heretofore set, at the southeasternmost corner of said Lot 20 "Amended Plat Section B Fox Hill Farm", thence running with and binding on the easternmost outlines of said last mentioned plat of Fox Hill Farm, the two following courses and distances viz: North 0 degrees 33 minutes 00 seconds East 809.12 feet to a point 0.10 feet east of a pipe heretofore set and North 28 degrees 09 minutes 21 seconds West, crossing an American Telephone and Telegraph Company right of way, 20 feet wide, 193.60 feet to a pipe heretofore set northwest of said American Telephone and Telegraph Company right of way and at the beginning of the fifteenth or North 65 1/4 degrees East 32 perches line of the aforesaid parcel of land described in the aforesaid Confirmatory Deed by and between Whiteley and Sussman, said pipe also being at the end of the third or South 62 degrees 14 minutes 30 seconds West 300.32 foot line of a parcel of land which by a deed dated

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**GERHOLD, CROSS & ETZEL**  
*Registered Professional Land Surveyors*

September 21, 1993

HENRY B. PECK, JR., SUCCESSOR TRUSTEE  
237.785 ACRES, MORE OR LESS  
(5)

March 24, 1972 and recorded among the Land Records of Baltimore County in Liber O.T.G. No. 5257 folio 173 was conveyed by John Homer Pearce to H. Benton Mecaslin, III, thence binding reversely on said third line and running to and binding reversely on the South 62 degrees 14 minutes 30 seconds West 212.60 foot line of Lot 2 as shown and laid out on a plat entitled "Wesley Woods" which plat is recorded among the Plat Records of Baltimore County in Plat Book E.H.K.Jr. No. 41 folio 125 and also binding on the aforesaid fifteenth line, as now surveyed, North 53 degrees 35 minutes 51 seconds East, passing over a concrete monument, heretofore set, at a distance of 512.41 feet, in all, 514.77 feet, to a bar and metal cap marked "Gerhold-Cross-Etzel Property Marker P-3" now set, thence running with and binding on the sixteenth and seventeenth lines of said parcel of land described in said Confirmatory Deed by and between Whiteley and Sussman, as now surveyed, and also running with and binding on the first and second lines of a Boundary Line Agreement dated September 8, 1993 and recorded among the Land Records of Baltimore County in Liber S.M. No. 10002 folio 577 by and between Beulah E. Adams, widow, and Henry B. Peck, Jr., Successor Trustee to Nancy W. Sussman et al, the two following courses and distances, viz: South 16 degrees 51 minutes 43 seconds East, recrossing the American Telephone and Telegraph Company right of way line, 20 feet wide, 585.83 feet to a bar and metal cap marked "Gerhold-Cross-Etzel Property Marker P-3", now set, and North 52 degrees 23 minutes 17 seconds East 206.25 feet to a stone, heretofore set, at the end of the aforesaid seventeenth line and also at the end of the third or North 37 degrees 10 minutes West 278.00 foot line of a parcel of land which by a deed dated July 7, 1969 and recorded among the Land Records of Baltimore County in Liber E.H.K.Jr. No. 6626 folio 380 was conveyed by Conduit, Inc. to Raymond J. Marocco et al, thence continuing to bind on the outlines of the aforesaid parcel of land described in the Confirmatory Deed by and between Whiteley and Sussman (said line being omitted in said last mentioned Confirmatory Deed) and also binding reversely on the aforesaid third line of the parcel of land which was conveyed by Conduit, Inc. to Marocco, one course and distance viz: South 44 degrees 44 minutes 25 seconds East, binding for a part on the last line of the aforesaid Boundary Line Agreement between Adams

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GERHOLD, CROSS & ETZEL  
Registered Professional Land Surveyors

September 21, 1993

HENRY B. PECK, JR., SUCCESSOR TRUSTEE  
237.785 ACRES, MORE OR LESS  
(6)

and Peck, 283.48 feet to a stone heretofore set, thence running with and binding on the eighteenth and nineteenth lines as numbered in the aforesaid description of said parcel of land described in the said Confirmatory Deed by and between Whiteley and Sussman and also binding reversely on the second and reversely on a part of the first lines of the parcel of land which was conveyed by Conduit, Inc. to Marocco, the two following courses and distances viz: South 29 degrees 36 minutes 43 seconds East 567.44 feet to a pipe and cap now set in the center of a 36 inch poplar stump and North 45 degrees 06 minutes 13 seconds East, passing 3.58 feet northwest of a stone, heretofore set, at a distance of 635.88 feet and passing 1.09 feet northwest of a stone, heretofore set, at a distance of 1282.60 feet, in all, 1794.86 feet to a bar and metal cap marked "Gerhold-Cross-Etzel Property Marker P-3", now set, said bar and cap being distant, South 41 degrees 11 minutes 25 seconds East 14.55 feet from a stone, heretofore set, and thence running with and binding on the twentieth and twenty-first lines, as numbered, of the aforesaid parcel of land described in the Confirmatory Deed by and between Whiteley and Sussman, the two following courses and distances viz: South 41 degrees 11 minutes 25 seconds East 901.23 feet to a stone, heretofore set, and North 55 degrees 47 minutes 41 seconds East 480.44 feet to a stone, heretofore set, thence running with and binding on the twenty-second line, as numbered, of said last mentioned Confirmatory Deed and also binding reversely on the Line of Agreement in a Boundary Line Agreement dated August 14, 1993 and recorded among the Land Records of Baltimore County in Liber S. M. No. 10002 folio 571 by and between Raymond J. Marocco and Pio Joseph Marocco, co-partners and Henry B. Peck, Jr., Successor Trustee, to Nancy W. Sussman et al, South 4 degrees 07 minutes 54 seconds East 264.78 feet to an old pipe, heretofore set, and thence running with and binding on the twenty-third through thirty-first lines, as numbered, of said Confirmatory Deed, the nine following courses and distances viz: South 6 degrees 54 minutes 57 seconds West 911.49 feet to a stone, heretofore set, South 82 degrees 50 minutes 02 seconds East 171.60 feet to a bar and metal cap marked "Gerhold-Cross-Etzel Property Marker P-3", now set, South 16 degrees 20 minutes 02 seconds East 316.80 feet to a bar and metal

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**GERHOLD, CROSS & ETZEL**  
Registered Professional Land Surveyors

September 21, 1993

HENRY B. PECK, JR., SUCCESSOR TRUSTEE  
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(7)

cap marked "Gerhold-Cross-Etzel Property Marker P-3", now set, South 48 degrees 09 minutes 58 seconds West 344.85 feet to a bar and metal cap marked "Gerhold-Cross-Etzel Property Marker P-3", now set, South 11 degrees 46 minutes 27 seconds West 866.19 feet to a concrete monument, heretofore set, South 13 degrees 00 minutes 47 seconds West 990.15 feet to a concrete monument, heretofore set, South 79 degrees 00 minutes 49 seconds West 306.55 feet to a pipe, heretofore set, North 61 degrees 14 minutes 12 seconds West 381.70 feet to a bar and metal cap marked "Gerhold-Cross-Etzel Property Marker P-3", now set, at the base of a fallen fence post and South 32 degrees 30 minutes 48 seconds West 1548.31 feet to the place of beginning.

Containing 237.785 Acres of land, more or less.

Subject to an American Telephone and Telegraph Company right of way and easement, 20 feet wide, and rights of ingress and egress as set forth in a Grant of Easement dated November 19, 1966 and recorded among the Land Records of Baltimore County in Liber O.T.G. No. 4704 folio 124 from Theodore E. Whiteley and Bettie Whiteley to American Telephone and Telegraph Company. Also see an Agreement dated February 26, 1969 and recorded among the Land Records of Baltimore County in Liber O.T.G. No. 4973 folio 497 between Theodore E. Whiteley and Bettie Whiteley, his wife and American Telephone and Telegraph Company which is supplementary to the first said Grant of Easement.

For title, see Deed dated August 13, 1990, and recorded among the Land Records aforesaid in Liber S.M. No. 8692 folio 189, from Theodore E. Whiteley by Theodore E. Whiteley, Jr. his Attorney-in-Fact, to Nancy W. Sussman, Elizabeth Whiteley and Theodore E. Whiteley, Jr., Trustees under the Theodore E. Whiteley Deed of Trust dated August 13, 1990, and as confirmed by Confirmation of Deed of Trust by Theodore E. Whiteley dated June 7, 1991. See also Confirmatory Deed dated September 4, 1990, and recorded among the Land Records aforesaid in Liber S. M. No. 8692 folio 197 from Theodore E. Whiteley by Bettie Whiteley, his Attorney-in-Fact, to Nancy W. Sussman, Elizabeth Whiteley and Theodore E. Whiteley, Jr., as Trustees under the Theodore E. Whiteley Deed of Trust dated August 13, 1990 and as confirmed by Confirmation of Deed of Trust by Theodore E. Whiteley dated

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**GERHOLD, CROSS & ETZEL**  
*Registered Professional Land Surveyors*

September 21, 1993

**HENRY B. PECK, JR., SUCCESSOR TRUSTEE**  
**237.785 ACRES, MORE OR LESS**  
(B)

June 7, 1991. On November 13, 1991, in accordance with the provisions of the aforesaid Deed of Trust, as confirmed, the said Nancy W. Sussman, Elizabeth Whiteley and Theodore E. Whiteley, Jr., resigned as Trustees and appointed Henry B. Peck, Jr., as Successor Trustee who, under date of December 2, 1991, accepted the terms and conditions of the Theodore E. Whiteley Trust dated August 13, 1990, as confirmed, and agreed to perform all the duties and accept all the obligations therein imposed.

Also being all of a parcel of land containing 0.175 of an acre of land, more or less, which by a deed dated September 18, 1993 and recorded among the Land Records of Baltimore County in Liber S.M. No. 10021 folio 410 was conveyed by Mary Elizabeth Whiteley to Henry B. Peck, Jr., Successor Trustee to Nancy W. Sussman, Elizabeth Whiteley and Theodore E. Whiteley, Jr., Trustees.

ITEM # 446

TOGETHER with the buildings thereupon, and the rights, alleys, ways, waters, privileges, appurtenances and advantages thereto belonging, or in anywise appertaining.

To HAVE AND TO HOLD the said described lot of ground and premises to the said Grantee, its

~~personal representative~~ successors

and assigns . in fee simple.

And the said party of the first part hereby covenants that he has not done or suffered to be done any act, matter or thing whatsoever, to encumber the property hereby conveyed; that he will warrant specially the property hereby granted; and that he will execute such further assurances of the same as may be requisite.

Witness the hand and seal of said grantor

Test:

Lisa D Edelberg

Henry B. Peck, Jr., Successor Trustee (SEAL)

(SEAL)

STATE OF MARYLAND, Balto County, to wit:

I HEREBY CERTIFY, That on this 23rd day of September

in the year one thousand nine hundred and ninety-three, before me, the subscriber, a Notary Public of the State aforesaid, personally appeared Henry B. Peck, Jr., Successor Trustee under the Theodore E. Whiteley Deed of Trust dated August 13, 1990 as confirmed by Confirmation of Deed of Trust by Theodore E. Whiteley dated June 7, 1991, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged the foregoing Deed to be his act, and in my presence signed and sealed the same.

In WITNESS WHEREOF, I hereunto set my hand and official seal.

My Commission expires:

7/1/94



This is to certify that the within instrument has been prepared (i) by or under the supervision of the undersigned Maryland attorney, or (ii) by a party to this instrument.

Lisa D Edelberg  
(Signature of attorney admitted to practice in Maryland if the instrument has been prepared by or under the supervision of such attorney, or signature of a party to the instrument if such party has prepared the instrument)

Lisa D. Edelberg, Attorney

1 Item # 446

# Baltimore County, Maryland Land Instrument Intake Sheet

LIBER 10039 PAGE 21

(Type or print in black ink only—all copies must be legible)

In compliance with Baltimore County Code, 1978, Title 33, Taxation, Article III, §33-126 through 33-140, as amended, and the Annotated Code of Maryland, Tax-Property Article, §13-104 through 13-113, as amended, and Tax-Property Article, §13-101 through 13-108, as amended, it is certified that an instrument of writing dated September 23, 1993 conveying title to, or creating liens or encumbrances upon, real or personal property is offered for record in the County. The property conveyed, or on which a lien or encumbrance is created, is identified as follows: 20-00-00945 (part of) W.H.E.

1. **Description of Property** (Check box(es) for item(s) to be indexed in land records)

☒ **Subdivision/Tract** 10-25-035100 (part)

☒ **Lot/Acreage** 237.785 ACRES

☒ **Street Address (or description if partial conveyance)** 237.785 acres, Section 12A

2. **Transferred From**

Harry A. Peck Jr. SUC. Trustee TO Theodore P. Whiteley, Harry S. Suman, Elizabeth Whiteley

3. **Transferred To**

GENERAL GERMAN AGED PEOPLE'S HOME OF BALTIMORE, A MARYLAND CORP.

4. **Type of Instrument**

☒ **Deed**

☐ **Assignment of Mgt/DOT**

☐ **Contract**

☐ **Land Installment Cont.**

☐ **Power of Attorney**

☐ **Lease**

5. **Exemptions** (Cite authority or explain briefly)

Baltimore County Exempt Status Claimed: Baltimore Code Sec 93-139 (a)(1) - 725,000/20

Recording Tax Exempt Status Claimed: TO CHARITABLE ORGANIZATION

State Exempt Status Claimed:

6. **Consideration and Tax Calculations**

Make check payable to Baltimore County, MD (410) 887-2418

**Consideration Amount**

**Purchase Price/Consideration** (including any new mortgage) \$935,000.00

**Real Property**

**Personal Property**

**Balance of Assumed Mortgage**

**Other**

**Total Consideration** \$935,000.00

**or Assessed Factor**

**County Taxes to be Paid**

**Transfer Tax Consideration**

\$935,000.00 x 1.6% = \$14,960.00

**Office of Finance Use Only**

**Agent:** 723 **Tax Bill:**

**C.B. Credit:** 723 **Ag. Tax/Other:** 723

7. **Fees and Recording Instructions**

Make check payable to Clerk of the Circuit Court (410) 887-2650

**Recording Charges** \$45.00

**State Transfer Tax** \$4,750.00

**County Recording Tax** \$46.75

**Surcharge** \$5.00

**Other**

**Total** \$9,400.00

**Special Recording Instructions (if any)**

8. **Contact/Mail Information**

**Instrument Prepared By**

**Name:** LISA EIDENBERG

**Firm:** EXECUTIVE TITLE

**Address:** 6 KESWICK CT BALTO MD 21208

**Phone:** (410) 551-1150

**Return Instrument To**

**Name:** EXECUTIVE TITLE

**Address:** 6 KESWICK CT BALTO MD 21208

**Mailing Address for Tax Bill**

**Name:** Catherine Douglas

**Address:** C/O EDENWALD BALTIMORE, MD 21208

9. **Certification**

I hereby certify under the penalties of perjury that the information given above is true to the best of my personal knowledge and belief.

**Signature:** Lisa Eidenberg **Date:** 9/23/93

10. **Assessment Information** (410) 321-2200

**IMPORTANT: BOTH THE ORIGINAL DEED AND A PHOTOCOPY MUST ACCOMPANY EACH TRANSFER**

**Will grantee be living at property conveyed?** Yes

**Is grantor currently receiving a homeowners' tax credit?** Yes

**Is property conveyed subject to agricultural transfer tax? If yes, enter amount:** N/A - Not Applicable

**If agricultural assessment on conveyance is to continue, have you attached a letter of intent?** Yes

**Partial conveyance? If yes, amount of acreage transferred:** 237.785

**List improvements conveyed:**

**If subdivision occurred after July 1, indicate former property tax ID number:**

**Optional Expedited Information**

**A delay in processing may be incurred if a conveyance deed is not accompanied by an adequate property description, preferably a survey or area calculation. A partial conveyance may require additional processing time.**

**Was property surveyed? If yes, attach copy of survey. If partial conveyance, balance of acreage:** 237.785

**Complete description of property conveyed (subdivision, lot, block, section, plat ref., acreage):**

**Location and improvement address:**

**Assessment Use Only - Do Not Write Below This Line**

**Terminal Verification** ☐ **Deed Plotter** ☐

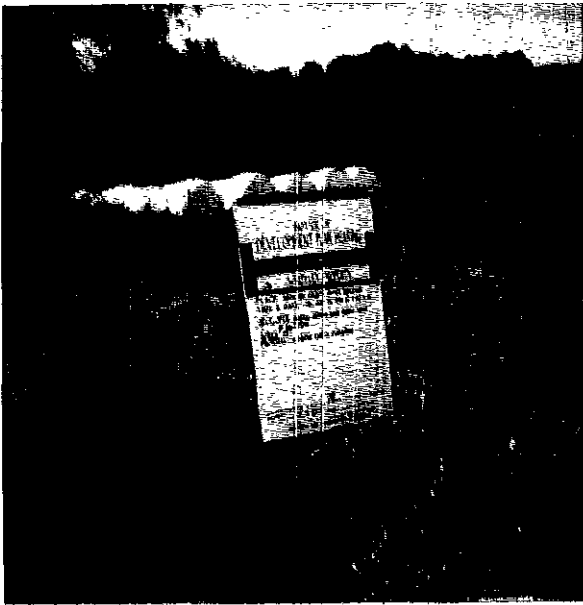
**Agricultural Verification** ☐ **Deed Preference** ☐

**Tran. Process Verification** ☐ **Assign Property No** ☐

**Whole** ☐ **Deed** ☐ **Part** ☐

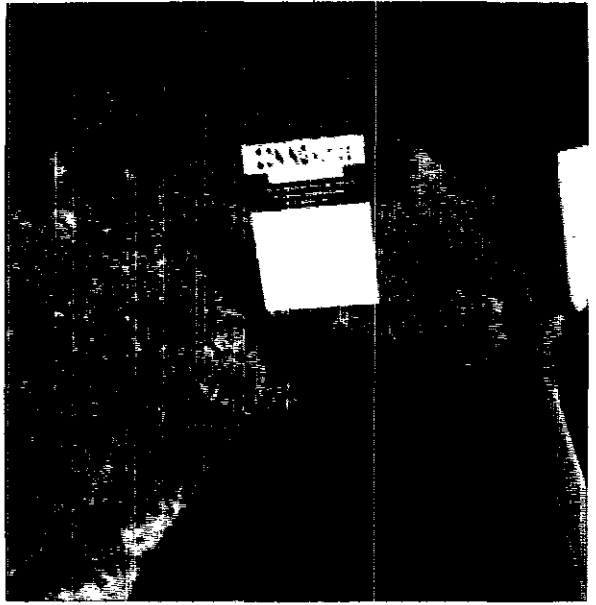
**Distribution:** **White** - Clerk's Office **Yellow** - Office of Finance **Pink** - BOAT **Goldendred** - Property

ITEM # 444



11-11

2/11/71



4/5/71



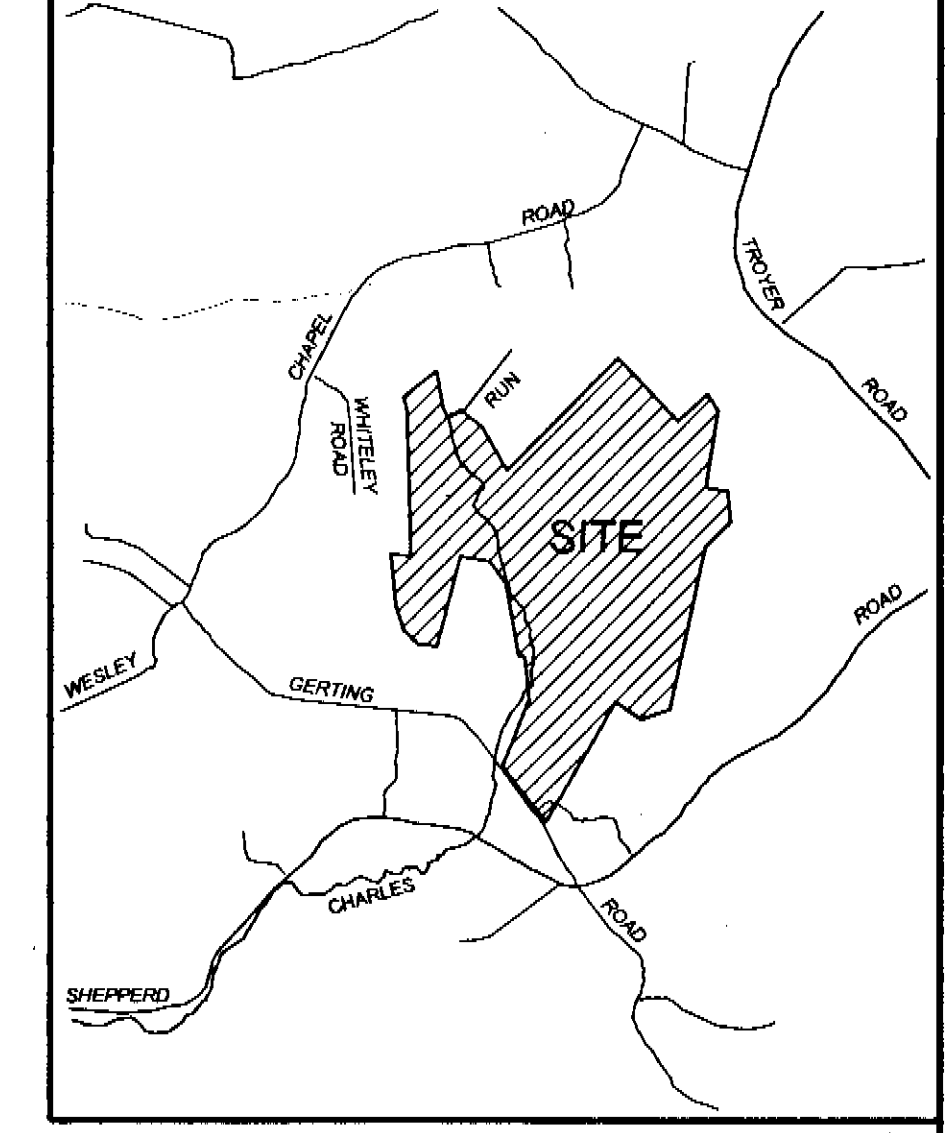
N 11000'  
E 6000'

N 11000'  
E 9000'



### FCP NOTES

1. ANY FOREST CONSERVATION EASEMENT (E.C.E.) SHOWN HEREON IS SUBJECT TO PROTECTIVE COVENANTS WHICH MAY BE FOUND IN THE LAND RECORDS OF BALTIMORE COUNTY AND WHICH RESTRICT THE DISTURBANCE AND USE OF THESE AREAS.
2. THERE SHALL BE NO CLEARING, GRADING, CONSTRUCTION OR DISTURBANCE OF VEGETATION WITHIN THE FOREST CONSERVATION EASEMENT, EXCEPT AS PERMITTED BY BALTIMORE COUNTY ORDINANCE.
3. FOREST AREAS OCCURRING OUTSIDE THE F.C.E. SHALL NOT BE CONSIDERED PART OF THE F.C.E. AND SHALL NOT BE SUBJECT TO PROTECTIVE COVENANTS.
4. NO STOCKPILES, PARKING AREAS, EQUIPMENT CLEANING AREAS, ETC. SHALL OCCUR WITHIN AREAS DESIGNATED AS FOREST CONSERVATION EASEMENTS.
5. PERMANENT SIGNAGE SHALL BE PLACED 50' APART ALONG THE BOUNDARIES OF ALL AREAS INCLUDED IN FOREST CONSERVATION EASEMENTS.



### LEGEND

- PROPERTY LINE
- SOILS LINE
- WETLAND LIMIT
- FOREST BUFFER EASEMENT
- 25% SLOPES
- EXISTING TREE LINE
- 100 YEAR FLOOD PLAIN
- PROPOSED HOUSE
- PROPOSED SEPTIC
- PROPOSED WELL
- PROPOSED PROPERTY LINE
- FOREST CONSERVATION EASEMENT
- FOREST NOT INCLUDED IN THE F.C.E.
- EXISTING CATTLE CROSSING
- FOREST CONSERVATION LIMITS
- POTENTIAL FUTURE F.C.E.

### GENERAL NOTES

1. DEED REFERENCE: 10009 / 011
2. TAX ACCOUNT # 102000000
3. WATERSHED: 10
4. COUNCILMANIC DISTRICT: 10
5. THE AREAS BETWEEN THE EIGHT LINES AND CURB LINES MUST BE CLEARLY GRADED AND KEPT FREE OF ANY OBSTRUCTIONS.
6. ANY EXISTING SEPTIC TANKS WILL BE REMOVED TO COUNTY AND STATE STANDARDS.
7. TO THE BEST OF OUR KNOWLEDGE, THERE ARE NO CRITICAL AREAS, ARCHEOLOGICAL SITES, WITHIN THE PROPERTY LIMITS SHOWN ON THIS PLAN.
8. FOREST BUFFER EASEMENT ACCESS WILL BE TAKEN OFF THE PUBLIC ROADS.
9. EDGE OF THE PROPOSED GRADE IS ANTICIPATED TO BE THE LIMIT OF DISTURBANCE.
10. THERE SHALL BE NO CLEARING, GRADING, CONSTRUCTION OR DISTURBANCE OF VEGETATION WITHIN THE FOREST BUFFER EASEMENT AND FOREST CONSERVATION EASEMENT LIMITS AS PERMITTED BY THE BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCES MANAGEMENT.
11. ANY FOREST BUFFER EASEMENT IS SUBJECT TO PROTECTIVE COVENANTS WHICH MAY BE FOUND IN THE LAND RECORDS OF BALTIMORE COUNTY AND WHICH RESTRICT DISTURBANCE AND USE OF LAND AREAS.
12. THIS SITE SHALL BE LANDSCAPED IN ACCORDANCE WITH THE PROVISIONS OF THE BALTIMORE COUNTY LANDSCAPE MANUAL.
13. EACH HOUSE IS TO HAVE TWO (2) OR MORE PARKING SPACES.
14. AVERAGE ONLY: 100' X 100' = 10,000 SQ. FT. 1/4 LOT = 50

### ZONING

15. EXISTING ZONING OF SUBJECT PROPERTY: RC-2
16. PROPOSED USE: RESIDENTIAL SUBDIVISION (SINGLE FAMILY DETACHED)

### DENSITY

17. GROSS DENSITY: LESS THAN 2 AC. = 0 LOTS
- 2 AC. TO 100 AC. = 2 LOTS
- 100 AC. PLUS = 100 AC. TOTAL = 207 AC.
18. REMAINING PROPERTY: 1. PERMITTED - 4 PROPOSED - 1 PLANTING REMAINING
19. ALL LOTS SHOWN ON THIS PLAN ARE FOR SALE.
20. THIS PROPERTY AS SHOWN ON THE PLAN HAS BEEN FIELD INSPECTED.
21. NO ENTRANCE SIGN IS PROPOSED FOR THIS PROJECT.
22. A BUILDING SETBACK OF 30' WILL BE FROM ALL FOREST BUFFER AND FOREST CONSERVATION.
23. THERE ARE NO EXISTING BUILDINGS ON SITE.

### PRELIMINARY FOREST CONSERVATION PLAN NOTES:

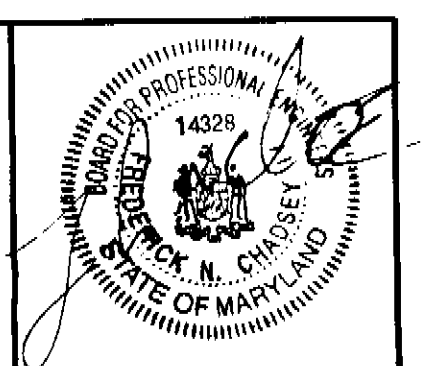
24. LOCATION OF SPECIMEN TREES INDICATED ON PLAN ARE APPROXIMATE ONLY AND ARE NOT BASED ON FIELD SURVEY INFORMATION MORE DETAILED DATA WILL BE UTILIZED TO DETERMINE RETENTION/REMOVAL AND PROTECTION MEASURES.
25. LIMITS OF FOREST TO REMAIN ARE INDICATED BASED ON THE APPROPRIATE LIMITS OF DISTURBANCE ANTICIPATED LIMITS OF DISTURBANCE WILL BE ESTABLISHED AT A LATER DATE, BASED ON SURVEY AND CROSS-SECTION PLANS.
26. STOCKPILE AREAS ARE INDICATED ON PLAN AND ARE PRELIMINARY.
27. SOME TREES ARE INDICATED TO REMAIN BUT DO NOT MEET TREE RETENTION AREA REQUIREMENTS. EFFORTS WILL BE MADE TO RETAIN TREES NOT INCLUDED IN RETENTION AREAS. HOWEVER, CLEARING LIMITS ARE SUBJECT TO PLAN REVIEW.
28. ACCESS TO FOREST CONSERVATION EASEMENTS WILL BE TAKEN OFF THE PUBLIC ROAD.

### FOREST DATA

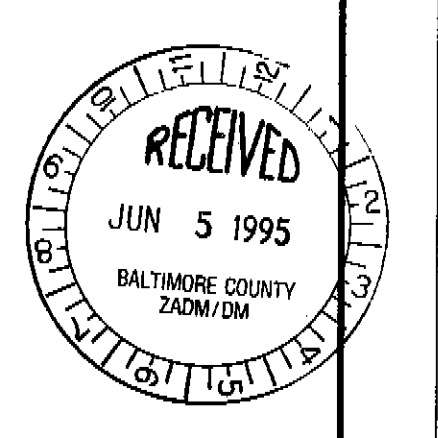
	ACRES
GROSS AREA:	227.0
NET TRACT AREA (NTA):	227.0
EXISTING FOREST ON NTA:	173.1
RETENTION AREA (RETA):	173.1
REMOVAL AREA (REMA):	127.7
FOREST TO BE REMOVED:	7.8
FOREST TO BE RETAINED:	127.7

OWNER / DEVELOPER  
GENERAL GERMAN AGED PEOPLES  
HOME OF BALTIMORE  
800 SOUTHERLY ROAD  
BALTIMORE, MARYLAND, 21286  
410-783-1782

**GEORGE WILLIAM STEPHENS, JR. AND ASSOCIATES, INC.**  
CIVIL ENGINEERS & LAND SURVEYORS  
658 KENILWORTH DRIVE, SUITE 100  
TOWSON, MARYLAND 21204  
(410) 825-8120

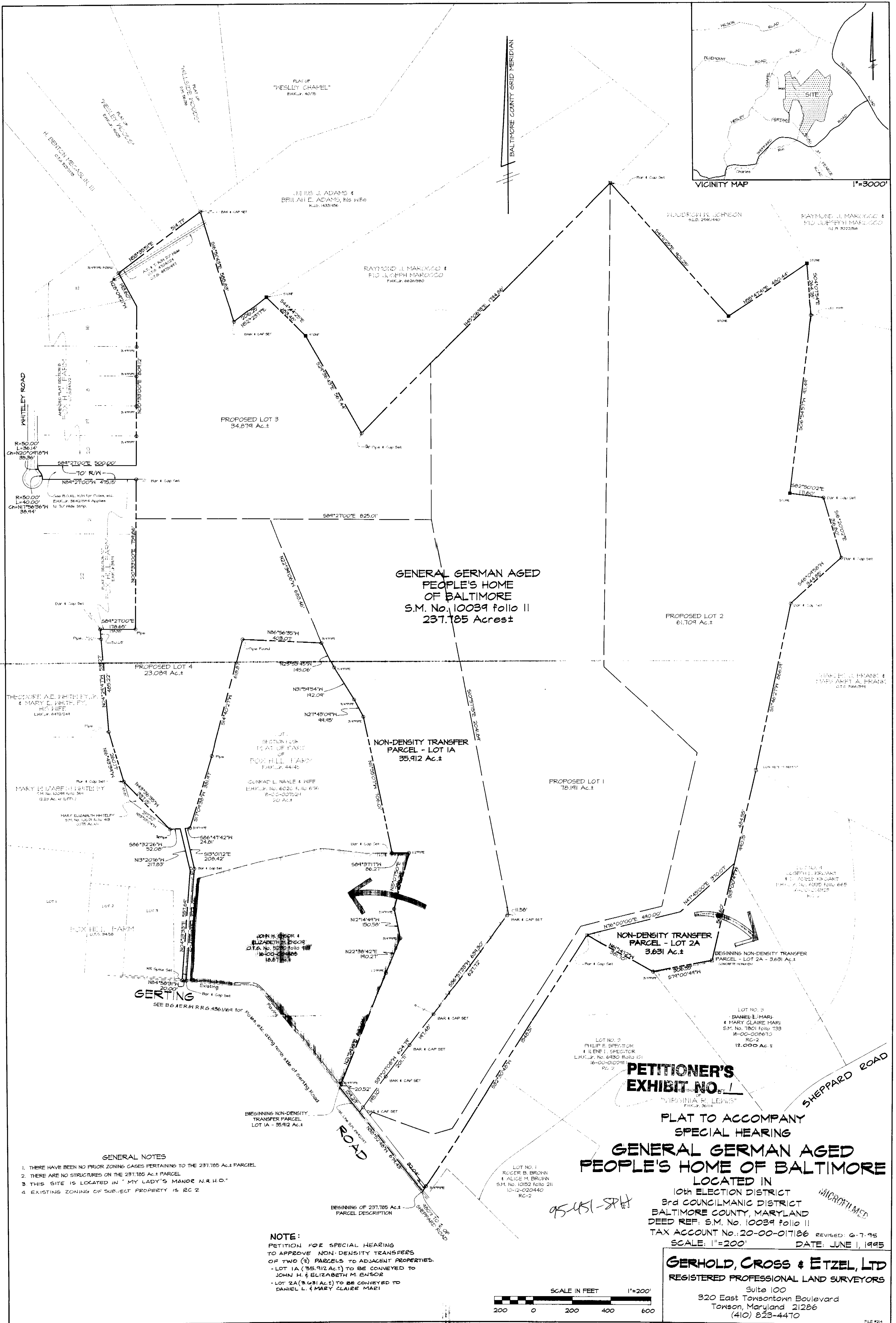


**DEVELOPMENT PLAN  
WHITELEY PROPERTY**  
ELECTION DISTRICT # 10  
SCALE: 1" = 200'  
COUNCILMANIC DISTRICT #3  
DATE: MARCH 29, 1995



95-451-SPH  
Item 44C  
CAH  
DPC 6/21/95  
9AM - RM 123  
HCH 7/14/95  
9AM - RM 106  
Comments to Sophia  
by 6/16 AM  
PN 7103





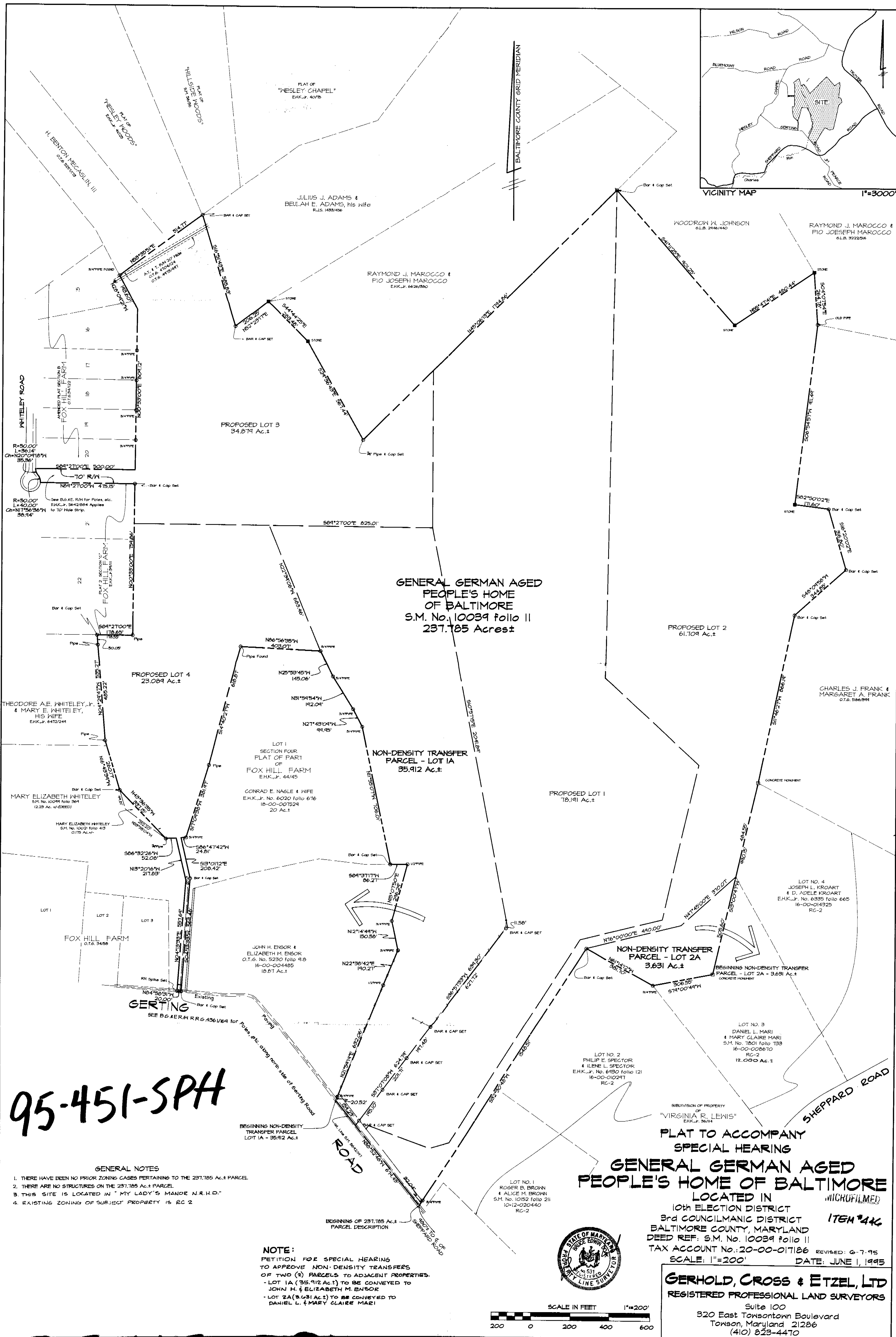
- GENERAL NOTES
1. THERE HAVE BEEN NO PRIOR ZONING CASES PERTAINING TO THE 237.785 AC.± PARCEL.
  2. THERE ARE NO STRUCTURES ON THE 237.785 AC.± PARCEL.
  3. THIS SITE IS LOCATED IN "MY LADY'S MANOR N.R.H.O."
  4. EXISTING ZONING OF SUBJECT PROPERTY IS RC-2

NOTE:  
PETITION FOR SPECIAL HEARING  
TO APPROVE NON-DENSITY TRANSFERS  
OF TWO (2) PARCELS TO ADJACENT PROPERTIES.  
- LOT 1A (35.912 AC.±) TO BE CONVEYED TO  
JOHN H. & ELIZABETH M. ENSOR  
- LOT 2A (3.631 AC.±) TO BE CONVEYED TO  
DANIEL L. & MARY CLAIRE MARI



**GERHOLD, CROSS & ETZEL, LTD**  
REGISTERED PROFESSIONAL LAND SURVEYORS  
Suite 100  
320 East Towsontown Boulevard  
Towson, Maryland 21286  
(410) 823-4470





95-451-SPH

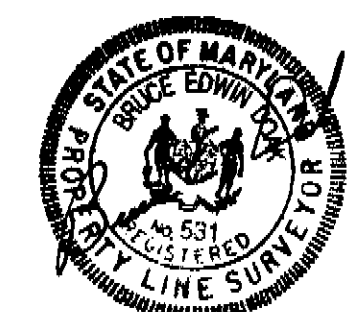
GENERAL NOTES

1. THERE HAVE BEEN NO PRIOR ZONING CASES PERTAINING TO THE 237.785 AC. PARCEL.
2. THERE ARE NO STRUCTURES ON THE 237.785 AC. PARCEL.
3. THIS SITE IS LOCATED IN "MY LADY'S MANOR N.R.H.O."
4. EXISTING ZONING OF SUBJECT PROPERTY IS RC-2

NOTE:

PETITION FOR SPECIAL HEARING TO APPROVE NON-DENSITY TRANSFERS OF TWO (2) PARCELS TO ADJACENT PROPERTIES.

- LOT 1A (35.912 AC.) TO BE CONVEYED TO JOHN H. & ELIZABETH M. ENSOR
- LOT 2A (3.631 AC.) TO BE CONVEYED TO DANIEL L. & MARY CLARE MARI



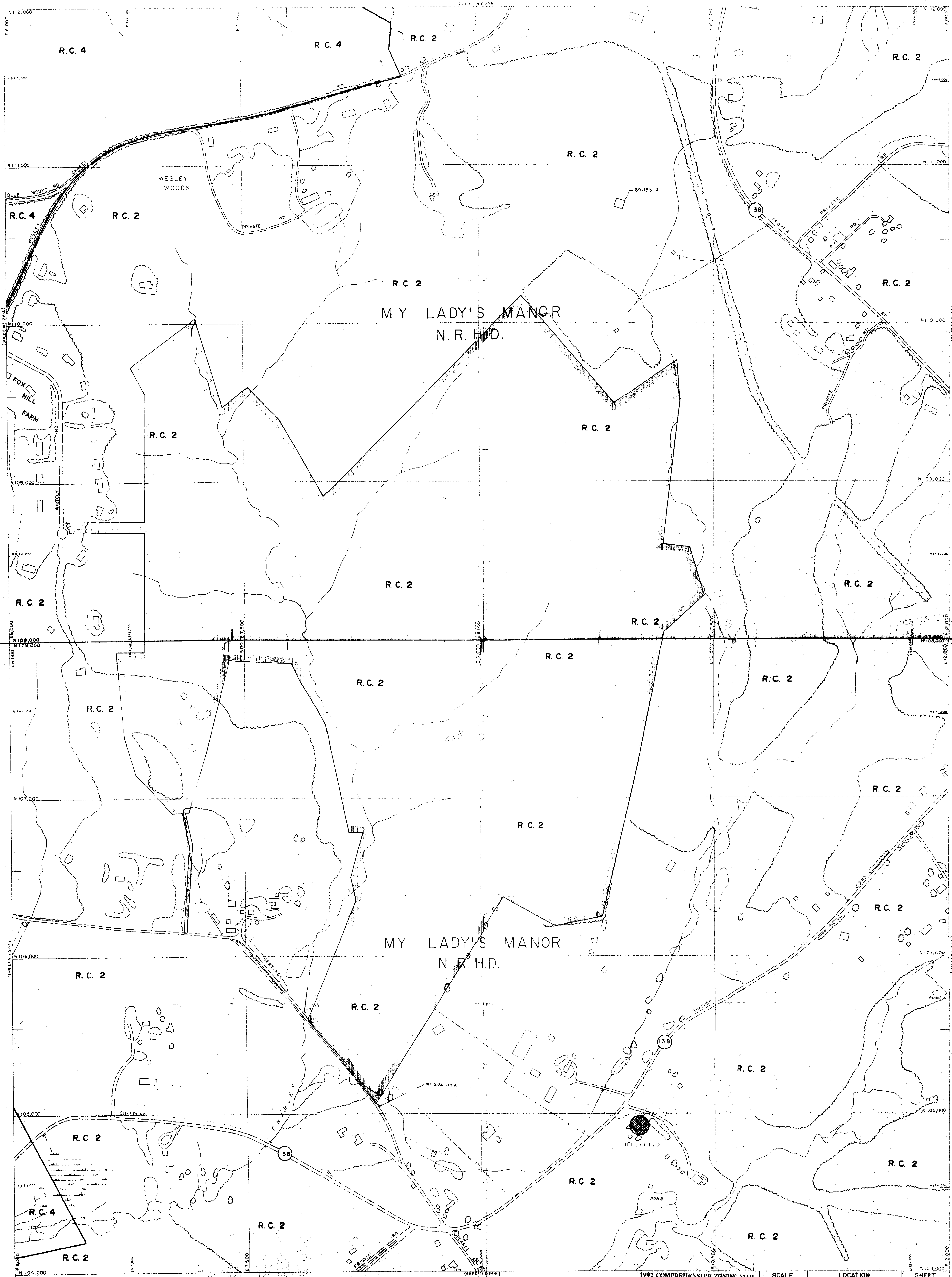
PLAT TO ACCOMPANY  
SPECIAL HEARING  
**GENERAL GERMAN AGED  
PEOPLE'S HOME OF BALTIMORE**  
LOCATED IN 10th ELECTION DISTRICT  
3rd COUNCILMANIC DISTRICT  
BALTIMORE COUNTY, MARYLAND  
DEED REF: S.M. No. 10039 folio II  
TAX ACCOUNT No.: 20-00-017186 REVIS: 6-7-95  
SCALE: 1"=200' DATE: JUNE 1, 1995

**GERHOLD, CROSS & ETZEL, LTD**  
REGISTERED PROFESSIONAL LAND SURVEYORS

Suite 100  
320 East Townsontown Boulevard  
Towson, Maryland 21286  
(410) 823-4470

95-451-SPH





95-451-SPH



IN RE: DEVELOPMENT PLAN HEARING AND PETITION FOR SPECIAL HEARING - (Whiteley Property)  
N/S Gerting Road, between Wesley Chapel Road & Sheppard Road  
10th Election District  
3rd Councilmanic District  
\* BEFORE THE  
\* DEPUTY ZONING COMMISSIONER  
\* OF BALTIMORE COUNTY  
\* Case No. X-325 and 95-451-SPH  
General German Aged People's Home of Baltimore - Owner/Developer

#### HEARING OFFICER'S OPINION AND DEVELOPMENT PLAN ORDER

This matter comes before this Hearing Officer for consideration of a development plan prepared by George W. Stephens, Jr. and Associates, Inc., for the proposed development of the subject property by General German Aged People's Home of Baltimore, Owner, with four (4) single family dwellings, in accordance with the development plan submitted, which was accepted into evidence as Developer's Exhibit 1. In addition to development plan approval, the Owners seek approval, pursuant to the Petition for Special Hearing, of a non-density transfer of two parcels to adjacent properties, in accordance with the site plan prepared by Gerhold, Cross and Etzel. The subject property consists of 237.785 acres, more or less, zoned R.C. 2 and is located on the northeast side of Gerting Road, northwest of Sheppard Road in the vicinity of Old York Road in Monkton.

Appearing at the public hearing required for this project were G. Scott Barhight and David Guilday, Attorneys at Law, representing the Owner/Developer, Rick Chadsey with George W. Stephens, Jr. & Associates, Inc., who prepared the development plan for this project, and Bruce Doak with Gerhold, Cross and Etzel, who prepared the site plan for the Petition for Special Hearing. Numerous representatives of the various Baltimore County reviewing agencies attended the hearing. No residents from the surrounding locale appeared.

As to the history of this project, the concept plan conference for this development was conducted on January 23, 1995. As required, a community input meeting was held on February 23, 1995 at the St. James Episcopal Church. Subsequently, a development plan was submitted and a conference held thereon on June 21, 1995. Following the submission of that plan, development plan comments were submitted by the appropriate agencies of Baltimore County and a revised development plan incorporating these comments was submitted at the hearing held before me on July 14, 1995.

At the preliminary stage of the public hearing before me, I am required to determine what, if any, agency issues or comments remain unresolved. Testimony and evidence received was that all issues raised within the comments submitted by the various Baltimore County reviewing agencies had been resolved and incorporated within the revised development plan. Based upon the uncontradicted testimony and the absence of any community participation, it appears that the development plan as submitted should be approved.

As to the Petition for Special Hearing, Mr. Bruce Doak, Professional Engineer, offered testimony concerning the non-density transfer of two parcels of property by the Owner/Developer to adjacent property owners. Testimony indicated that both transfers are for non-density purposes, only and will not result in any increase in density for either recipient. The first parcel consists of 35.92 acres highlighted in yellow on Petitioner's Exhibit 1 and is identified as Lot 1A thereon. This parcel is to be conveyed to John H. and Elizabeth M. Ensor, who own the adjacent 18.87 acres highlighted in orange on the plan. Upon completion of this transfer, the Ensors will own one contiguous parcel of land comprised of a gross area of 54.792 acres, more or less.

The second non-density parcel consists of 3.631 acres, more or less, highlighted in pink on Petitioner's Exhibit 1. This parcel is to be transferred to Daniel L. and Mary Claire Mari, who own the adjacent 12.000 acres highlighted in green on the plan. Upon completion of this transfer, the Mari property will consist of 15.631 acres total.

After due consideration of the testimony and evidence presented, it is clear that the spirit and intent of the R.C. 2 zoning regulations will be met and that the transfer of the two parcels in question is strictly for non-density purposes. The relief requested will not be detrimental to the surrounding locale and, thus, should be granted.

Therefore, pursuant to the zoning and development plan regulations of Baltimore County as contained within the B.C.Z.R. and Subtitle 26 of the Baltimore County Code, the advertising of the property and public hearing held thereon, the development plan shall be approved consistent with the comments contained herein and the restrictions set forth hereinafter. Further, the relief requested within the Petition for Special Hearing shall be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner and Hearing Officer for Baltimore County this 17th day of July, 1995 that the development plan for the Whiteley Property, identified herein as Developer's Exhibit 1, be and is hereby APPROVED; and,

IT IS FURTHER ORDERED that the Petition for Special Hearing to approve the non-density transfer of two parcels to adjacent properties, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

- 1) Pursuant to Section 502.2 of the B.C.Z.R., a new deed incorporating a reference to this case and the restrictions and conditions set forth herein shall be recorded among the Land Records of Baltimore County

within sixty (60) days of the date of this Order and a copy of the recorded deed shall be forwarded to the Zoning Commissioner for inclusion in the case file.

Any appeal of this decision must be taken in accordance with Section 26-209 of the Baltimore County Code.

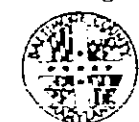
*Timothy M. Kotroco*  
TIMOTHY M. KOTROCO  
Hearing Officer  
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING  
Date 7/19/95  
By [Signature]

ORDER RECEIVED FOR FILING  
Date 7/19/95  
By [Signature]

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning



Suite 112 Courthouse  
400 Washington Avenue  
Towson, MD 21204

(410) 887-4386

July 17, 1995

G. Scott Barhight, Esquire  
David Guilday, Esquire  
Whiteford, Taylor and Preston  
210 W. Pennsylvania Avenue, 4th Floor  
Towson, Maryland 21204

RE: DEVELOPMENT PLAN HEARING AND PETITION FOR SPECIAL HEARING (Whiteley Property)  
N/S Gerting Road, between Wesley Chapel Road & Sheppard Road  
10th Election District - 3rd Councilmanic District  
General German Aged People's Home of Baltimore - Owner/Developer  
Case No. X-325 and 95-451-SPH

Dear Messrs. Barhight and Guilday:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Development Plan has been approved and the Petition for Special Hearing granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

*Timothy M. Kotroco*  
TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

TMK:bjs

cc: Mr. Sal J. Molite, Jr.  
800 Southerly Road, Towson, Md. 21204

Kurt Kugelberg, Proj. Mgr., FDM (fka as ZADM)

DEPRM; DPW; People's Counsel; Case File



## Petition for Special Hearing

75-451-SPH  
to the Zoning Commissioner of Baltimore County  
for the property located at  
N/S Gerting Rd, 4th Floor, North End of the General German Aged People's Home of Baltimore, which is presently zoned RC-2

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve:

Non-density transfer of two (2) parcels to adjacent properties

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Hearing advertising, printing, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchase Agreement  
Type of Petition Name  
Signature  
Address  
City  
State  
Zip Code

Attorney for Petitioner  
G. Scott Barhight  
Type of Petition Name  
Signature  
Address  
City  
State  
Zip Code

ORDER RECEIVED FOR FILING  
Date 7/19/95  
By [Signature]



ESTIMATED LENGTH OF HEARING  
The following date: 8/2/95  
ALL OTHER  
REVIEWED BY: R.T. DATE: 8/2/95  
ITEM # 446

SCOTT J. ANDERSON  
RECORDS & COMMUNICATIONS  
BALTIMORE COUNTY

GERHOLD, CROSS & ETZEL, LTD.  
Registered Professional Land Surveyors

SUITE 100  
320 EAST TOWSONTOWN BOULEVARD  
TOWSON, MARYLAND 21286-5318  
410-823-4470  
FAX 410-823-4473

June 2, 1995

Zoning Description  
237.785 Acre Parcel of Land

All that piece or parcel of land situate, lying and being in the Tenth Election District of Baltimore County, State of Maryland and described as follows to wit:

Beginning for the same at a point in the center of Gerting Road, being 980 feet, more or less, along said center line of Gerting Road from the center line of Sheppard Road, thence running in the center of Gerting Road 1) North 38 degrees 52 minutes 48 seconds West 679.43 feet, thence leaving said road and running  
2) North 21 degrees 59 minutes 19 seconds East 632.06 feet.  
3) North 22 degrees 38 minutes 42 seconds East 190.27 feet.  
4) North 12 degrees 14 minutes 49 seconds West 150.58 feet.  
5) North 15 degrees 07 minutes 50 seconds East 296.29 feet.  
6) South 89 degrees 27 minutes 17 seconds West 86.27 feet.  
7) North 11 degrees 55 minutes 07 seconds West 706.01 feet.  
8) North 27 degrees 43 minutes 09 seconds West 99.95 feet.  
9) North 31 degrees 59 minutes 54 seconds West 192.09 feet.  
10) North 25 degrees 53 minutes 45 seconds West 145.06 feet.  
11) North 86 degrees 56 minutes 35 seconds West 403.07 feet.  
12) South 14 degrees 40 minutes 27 seconds West 618.87 feet.  
13) South 17 degrees 09 minutes 38 seconds West 381.97 feet.  
14) South 86 degrees 47 minutes 42 seconds West 24.81 feet.  
15) South 13 degrees 01 minute 12 seconds East 208.42 feet.  
16) South 4 degrees 13 minutes 33 seconds West 569.48 feet to the center of Gerting Road, thence running in the center of Gerting Road  
17) North 84 degrees 58 minutes 31 seconds west 20.00 feet, thence leaving said road and running  
18) North 4 degrees 13 minutes 33 seconds East 557.69 feet,  
19) North 13 degrees 20 minutes 16 seconds West 217.83 feet,  
20) South 86 degrees 32 minutes 26 seconds West 52.08 feet.

1

ITEM # 446

GERHOLD, CROSS & ETZEL, LTD.  
Registered Professional Land Surveyors

June 2, 1995

Zoning Description  
237.785 Acre Parcel of Land

21) North 43 degrees 36 minutes 35 seconds West 337.15 feet,  
22) North 16 degrees 43 minutes 39 seconds West 230.17 feet,  
23) North 16 degrees 43 minutes 39 seconds West 30.00 feet,  
24) North 4 degrees 29 minutes 47 seconds East 535.27 feet,  
25) South 89 degrees 27 minutes 00 seconds East 178.65 feet,  
26) North 0 degrees 33 minutes 00 seconds East 759.86 feet,  
27) North 89 degrees 27 minutes 00 seconds West 475.15 feet to the eastern, right-of-way line of Whiteley Road, thence binding on said right-of-way  
28) Northwesterly with a line curving to the left with a radius of 50.00 feet and an arc distance of 40.00 feet (chord is North 17 degrees 56 minutes 36 seconds West 38.94 feet)  
29) Northwesterly with a line curving to the right with a radius of 50.00 feet and an arc distance of 36.14 feet (chord is North 20 degrees 09 minutes 18 seconds West 35.36 feet), thence leaving said right-of-way and running  
30) South 89 degrees 27 minutes 00 seconds East 500.00 feet,  
31) North 0 degrees 33 minutes 00 seconds East 809.12 feet,  
32) North 28 degrees 09 minutes 21 seconds West 193.60 feet,  
33) North 53 degrees 35 minutes 51 seconds East 514.77 feet,  
34) South 16 degrees 51 minutes 43 seconds East 585.83 feet,  
35) North 52 degrees 23 minutes 17 seconds East 206.25 feet,  
36) South 44 degrees 44 minutes 25 seconds East 283.48 feet,  
37) South 29 degrees 36 minutes 43 seconds East 567.44 feet,  
38) North 45 degrees 06 minutes 13 seconds East 1794.86 feet,  
39) South 41 degrees 11 minutes 25 seconds East 901.25 feet,  
40) North 55 degrees 47 minutes 41 seconds East 480.44 feet,  
41) South 4 degrees 07 minutes 54 seconds East 264.78 feet,  
42) South 6 degrees 54 minutes 57 seconds West 911.49 feet,  
43) South 82 degrees 50 minutes 02 seconds East 171.60 feet,  
44) South 16 degrees 20 minutes 02 seconds East 316.80 feet,  
45) South 48 degrees 09 minutes 58 seconds West 344.85 feet,  
46) South 11 degrees 46 minutes 27 seconds West 866.19 feet,

2

ITEM # 446

SUITE 100 • 320 EAST TOWSONTOWN BOULEVARD • TOWSON, MARYLAND 21286 • 410-823-4470 • FAX 410-823-4473



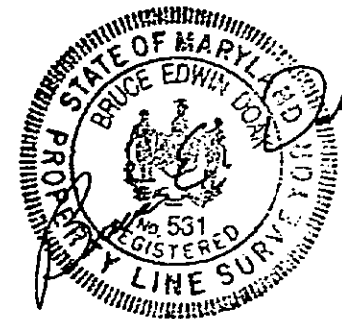
**GERHOLD, CROSS & ETZEL, LTD.**  
Registered Professional Land Surveyors

June 2, 1995

**Zoning Description**  
237.785 Acre Parcel of Land

47) South 13 degrees 00 minutes 47 seconds West 990.15 feet,  
48) South 79 degrees 00 minutes 49 seconds West 306.55 feet,  
49) North 61 degrees 14 minutes 12 seconds West 381.70 feet,  
50) South 32 degrees 30 minutes 48 seconds West 1548.51 feet to the place of beginning. Containing 237.785 Acres of land, more or less.

This description is not for conveyance purposes and only fulfills the requirements of the Baltimore County Office of Zoning.



SUITE 100 • 320 EAST TOWSONTOWN BOULEVARD • TOWSON, MARYLAND 21286 • 410-823-4470 • FAX 410-823-4473

**CERTIFICATE OF POSTING**  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

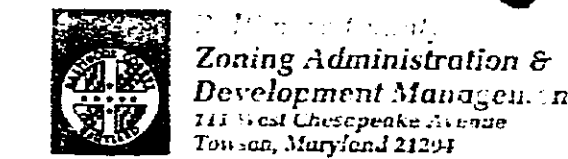
District: 118 Date of Posting: 6/16/95  
Posted for: Special Hearing  
Petitioner: General German Aged People's Home of Baltimore  
Location of property: N/S Gerting Rd., 980' ± N of c/l Shepard Rd.  
Location of Sign: Along roadways on property being zoned  
Remarks: None  
Posted by: [Signature] Date of return: 6/22/95  
Number of Signs: 1

**NOTICE OF HEARING**  
The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:  
Case: 95-451-SPH (Item 446)  
N/S Gerting Road, 980' ± N of c/l Shepard Road, 10th Election District  
3rd Councilmanic Legal Owner(s): General German Aged People's Home of Baltimore  
Hearing: Friday, July 14, 1995 at 9:00 a.m. in Room 106, County Office Building.  
Special Hearing to approve non-density transfer of 2 parcels to adjoining properties.  
LAWRENCE E. SCHMIDT  
Zoning Commissioner for Baltimore County  
NOTES: (1) Hearings are handicapped accessible. For special accommodations please call 887-3353.  
(2) For information concerning the file and/or hearing, please call 887-3391.  
6/22 June 22.

**CERTIFICATE OF PUBLICATION**

TOWSON, MD., 6/22, 1995  
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 6/22, 1995

THE JEFFERSONIAN,  
A. Henrichsen  
LEGAL AD. - TOWSON



Date: 6/8/95  
GEN. GERMAN AGED PEOPLE'S HOME OF BALTO.  
N/S OF GERTING RD., 980' ± NORTH FROM c/l OF SHEPARD RD.

030 - SPH - \$ 50.00  
050 - SIGN - \$ 35.00  
TOTAL - \$ 85.00

Account: R001-6150

Number: 446

R.T.

RECEIPT  
95-451-SPH

Please Make Checks Payable To: Baltimore County

Cashier Validation

Baltimore County Government  
Office of Zoning Administration  
and Development Management

111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

**ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES**

Baltimore County zoning regulations require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 446

Petitioner: GEN. GERMAN AGED PEOPLE'S HOME OF BALTO  
N/S OF GERTING RD., 980' ± NORTH FROM THE c/l OF SHEPARD RD.

PLEASE FORWARD ADVERTISING BILL TO:

NAME: WHITEHEAD, TAYLOR & PRESTON  
ADDRESS: #7 Saint Paul St., Suite 1400  
BALTO. MD. 21202-1626

PHONE NUMBER: \_\_\_\_\_

AJ:ggg

(Revised 04/09/93)

TO: PUTNEM PUBLISHING COMPANY  
June 22, 1995 Issue - Jeffersonian

Please forward billing to:  
G. Scott Barhight, Esq.  
Whiteford, Taylor & Preston  
7 St. Paul Street, #1400  
Baltimore, MD 21202-1626

**NOTICE OF HEARING**

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:  
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-451-SPH (Item 446)  
N/S Gerting Road, 980' ± N of c/l Shepard Road  
10th Election District - 3rd Councilmanic Legal Owner(s): General German Aged People's Home of Baltimore  
HEARING: FRIDAY, JULY 14, 1995 at 9:00 a.m. in Room 106, County Office Building.  
Special Hearing to approve non-density transfer of 2 parcels to adjoining properties.

LAWRENCE E. SCHMIDT  
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.  
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

Baltimore County Government  
Office of Zoning Administration  
and Development Management

111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

June 15, 1995

**NOTICE OF HEARING**

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:  
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

**DEVELOPMENT PLAN HEARING**  
Project Number: K-32  
Project Name: Whiteley Property  
Location: N/S Gerting Road, 980' ± N of c/l Shepard Road  
Acres: 237  
Developer: General German Aged People's Home of Baltimore  
Proposal: 4 Single family dwellings.  
and  
CASE NUMBER: 95-451-SPH (Item 446)  
N/S Gerting Road, 980' ± N of c/l Shepard Road  
10th Election District - 3rd Councilmanic Legal Owner(s): General German Aged People's Home of Baltimore  
Special Hearing to approve non-density transfer of 2 parcels to adjoining properties.

HEARING: FRIDAY, JULY 14, 1995 at 9:00 a.m. in Room 106, County Office Building.

Arnold Jablon  
Director

cc: General German Aged People's Home of Baltimore  
G. Scott Barhight, Esq.  
George W. Stephens and Associates  
Gerhold, Cross & Etzel, Ltd.

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.  
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.  
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

Printed with Soybean Ink  
on Recycled Paper

Baltimore County Government  
Office of Zoning Administration  
and Development Management

111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

July 7, 1995

G. Scott Barhight, Esquire  
210 W. Pennsylvania Avenue  
Towson, Maryland 21204

RE: Item No.: 446  
Case No.: 95-451-SPH  
Petitioner: Gen. German Aged People's Home of Baltimore

Dear Mr. Barhight:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on June 8, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

Carl Richards, Jr.  
Zoning Supervisor

WCR/jw  
Attachment(s)

Printed with Soybean Ink  
on Recycled Paper

BALTIMORE COUNTY, MARYLAND  
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT  
INTER-OFFICE CORRESPONDENCE

TO: Mr. Arnold Jablon, Director  
Zoning Administration and Development Management  
June 29, 1995  
FROM: J. Lawrence Pilson  
Development Coordinator, DEPRM  
SUBJECT: Zoning Item #446 - General German Aged People's Home of Baltimore  
Gerting Road  
Zoning Advisory Committee Meeting of June 19, 1995

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item.

**Environmental Impact Review**

Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains.

This project must also comply with the Forest Conservation Regulations.

**Ground Water Management**

Soil Percolation tests must be conducted prior to development of property.

**Agricultural Preservation Program**

This request has been reviewed for prime and productive soils and can be approved with the following restrictions:

- Parcel 1A - has a minor amount of prime and productive soils but is almost entirely restricted by a forest buffer easement which precludes agricultural activity.
- Parcel 2A - has a minor amount of prime and productive soils and can be approved because such activity will not significantly diminish the agricultural resources of the area.

A conservancy easement agreement must be submitted for each lot prior to plan approval.

JLP:DL:TE:ML:sp

PEOPLES/DEPRM/TXTSBP

BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director, ZADM  
FROM: Pat Keller, Director, OFZ  
SUBJECT: General German People's Home of Baltimore

DATE: June 26, 1995

INFORMATION:

Item Number: 446  
Petitioner: Sal J. Molite, Jr.  
Property Size: \_\_\_\_\_  
Zoning: RC-2  
Requested Action: Special Hearing  
Hearing Date: / /

SUMMARY OF RECOMMENDATIONS:

The applicant requests that the Zoning Commissioner approve the non-density transfer of two parcels to adjacent properties.

Based upon a review of the information provided, staff does not oppose the requested non-density transfer.

Prepared by: *Jeffrey W. Long*

Division Chief: *John J. White*

PK/JL

ITEM446/PZONE/ZAC1

BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director  
Zoning Administration and Development Management

DATE: June 26, 1995

FROM: Robert W. Bowling, P.E., Chief  
Developers Engineering Section

RE: Zoning Advisory Committee Meeting  
for June 28, 1995  
Items 436, 437, 438, 441, 442, 444, 445, 446  
447 and 449

The Developers Engineering Section has reviewed the subject zoning item and we have no comments.

RWB:sw

Maryland Department of Transportation  
State Highway Administration

O. James Lightizer  
Secretary  
Hal Kasson  
Administrator

6-13-95

Ms. Joyce Watson  
Zoning Administration and  
Development Management  
County Office Building  
Room 109  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Re: Baltimore County  
Item No.: 446 (ET)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

*Bob Small*  
for Ronald Burns, Chief  
Engineering Access Permits  
Division

BS/

Baltimore County Government  
Fire Department

700 East Joppa Road Suite 901  
Towson, MD 21286-5500

(410) 887-4500

DATE: 06/14/95

Arnold Jablon  
Director  
Zoning Administration and  
Development Management  
Baltimore County Office Building  
Towson, MD 21204  
MAIL STOP-1105

RE: Property Owner: SEE BELOW

LOCATION: DISTRIBUTION MEETING OF JUNE 19, 1995.

Item No.: SEE BELOW Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

B. The Fire Marshal's Office has no comments at this time. IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 441, 442, 443, 444, 445, 446, 447, 448 AND 449.

REVIEWER: LT. ROBERT P. SAUERWALD  
Fire Marshal Office, PHONE 887-4861, MS-1102F

cc: File

BALTIMORE COUNTY, MARYLAND  
Inter-Office Memorandum

DATE: June 8, 1995

TO: Hearing Officer

FROM: Regulo Tangullig  
Planner I, ZADM

SUBJECT: Item #446

Property). Item #446 is part of the proposed major development (Whitley

RT:scj

RE: PETITION FOR SPECIAL HEARING  
N/S Gerting Road, 980' +/- N of c/l  
Sheppard Road, 10th Election District,  
3rd Councilmanic  
General German Aged People's Home of Balto.  
Petitioners

BEFORE THE  
ZONING COMMISSIONER  
OF BALTIMORE COUNTY  
CASE NO. 95-451-SPH

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

*Peter Max Zimmerman*  
PETER MAX ZIMMERMAN  
People's Counsel for Baltimore County

*Carole S. Demilio*  
CAROLE S. DEMILIO  
Deputy People's Counsel

Room 47, Courthouse  
400 Washington Avenue  
Towson, MD 21204  
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 26th day of June, 1995, a copy of the foregoing Entry of Appearance was mailed to G. Scott Barhight, Esquire, Whiteford, Taylor & Preston, 210 W. Pennsylvania Avenue, Towson, MD 21204, attorney for Petitioners.

*Peter Max Zimmerman*  
PETER MAX ZIMMERMAN

WHITEFORD, TAYLOR & PRESTON  
L.L.P.

210 WEST PENNSYLVANIA AVENUE  
TOWSON, MARYLAND 21204-4515  
410 852-2000  
FAX 410 852-2015

DAVID K. GILDEA  
DIRECT V. NO. 1  
410 852-2000

1025 CONNECTICUT AVENUE, N.W.  
WASHINGTON, D.C. 20006-4001  
TELEPHONE 202 696-6881  
FAX 202 251-0673

June 5, 1995

Mr. Arnold Jablon  
Director, Zoning Administration and  
Development Management Office  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Re: General German Aged Peoples' Home of MD

Dear Mr. Jablon:

Enclosed please find a Petition for Special Hearing for Filing in the above-referenced matter. The filing of the Petition for Special Hearing is in conjunction with the Development Plan which has been previously filed, and as such, we request a combined hearing on the two.

Thank you.

Very truly yours,

*David K. Gildea*  
David K. Gildea

DKG:dmk

cc: G. Scott Barhight, Esquire

49718

ITEM #446

GERHOLD, CROSS & ETZEL, LTD.  
Registered Professional Land Surveyors

SUITE 102  
320 EAST TOWSONTOWN BOULEVARD  
TOWSON, MARYLAND 21286-5318

410-823-4470  
FAX 410-823-4473

June 7, 1995

ZONING HISTORY

Original Deed  
T.B.S. No. 1728 folio 332 - February 1, 1949 Sarah Easley Merryman,  
et al to Theodore E. Whiteley and Bettie Whiteley, his wife

1st Parcel: 2 Acres, 3 rods and 7 square perches  
2nd Parcel: 1 Acre, 3 rods and 28 square perches  
(entire 1st and 2nd parcels conveyed out prior to  
November 25, 1979)  
3rd Parcel: 297 Acres, 2 rods and 13 square perches

Numerous Record Plats and Metes and Bounds out-conveyances  
prior to November 25, 1979

Leaving as of November 25, 1979: 250.015 Acres - 5 density units

Out-Conveyance:  
E.H.K.Jr. No. 7147 folio 795 October 8, 1985  
Theodore E. Whiteley and Bettie Whiteley, his wife to  
Mary Elizabeth Whiteley, their daughter  
12.23 Acres - 1 density unit

Remaining Area 237.785 Acres - 4 density units

S.M. No. 8692 folio 189 August 13, 1990 237.785 Acres  
Theodore E. Whiteley by Theodore E. Whiteley Jr, Attorney in Fact to Nancy W. Sussman,  
Elizabeth Whiteley and Theodore E. Whiteley Jr., Trustees

S.M. No. 8692 folio 197 September 4, 1990 237.785 Acres  
Theodore E. Whiteley by Bettie Whiteley, Attorney in Fact to Nancy W. Sussman, Elizabeth  
Whiteley, and Theodore E. Whiteley Jr., Trustees

December 2, 1991  
Nancy W. Sussman, Elizabeth Whiteley, and Theodore E. Whiteley Jr., Trustees resigned as  
Trustees and appointed Henry B. Peck, Jr. Successor Trustee

S.M. No. 10002 folio 571 August 14, 1993  
Boundary Line Agreement between Raymond J. Marocco, et al and Henry B. Peck Jr., Successor  
Trustee

ITEM #446



GERHOLD, CROSS & ETZEL, LTD.  
Registered Professional Land Surveyors

S.M. No. 10002 folio 577 September 8, 1993  
Boundary Line Agreement between Beulah E. Adams, widow, and Henry B. Peck Jr., Successor Trustee

S.M. No. 10021 folio 410 and S.M. No. 10021 folio 413 September 18, 1993  
Swap of parcels of ground 0.175 Acre, more or less, between Elizabeth Whiteley and Henry B. Peck Jr., Successor Trustee

Current Title  
S.M. No. 10039 folio 011 September 23, 1993  
Henry B. Peck, Jr., Successor Trustee, to General German Aged People's Home of Baltimore 237.785 Acres, more or less.

SUITE 100 • 320 EAST TOWSON TOWN BOULEVARD • TOWSON, MARYLAND 21286 • 410-823-4470 • FAX 410-823-4473

ITEM #446

FEE SIMPLE DEED LIBER 8692 PAGE 109

This Deed, Made this 13th day of August

in the year one thousand nine hundred and ninety, between  
THEODORE E. WHITELEY, by Theodore E. Whiteley, Jr., his Attorney in Fact, acting under and by virtue of a power of attorney dated May 2, 1990, hereinafter referred to,

of Baltimore County, in the State of Maryland, of the first part,  
and WANCY W. SUSHMAN, ELIZABETH WHITELEY and THEODORE E. WHITELEY, Jr., Trustees under the Theodore E. Whiteley Deed of Trust dated August 13th, 1990

of the second part.

Witnesseth, That in consideration of the sum of ~~XXXXXXXXXX~~ and other good and valuable considerations, the receipt whereof is hereby acknowledged, THEODORE E. WHITELEY, acting under and by virtue of his attorney as aforesaid

do ~~as~~ grant and convey unto the said party of the second part, their successors and assigns,

in fee simple, all that lot of ground situate, lying and being in Baltimore County, State of Maryland, ~~XXXXXXXXXX~~

and described as follows, that is to say:

FOR DESCRIPTION, SEE ATTACHED.

C R/F 21.00  
NEED 0 H  
SH CLERK 21.00  
#15184 C004 R02 T0916  
01/14/91

THIS IS TO CERTIFY that within instrument was prepared by or under the supervision of the undersigned, an attorney duly admitted to practice before the Court of Appeals of Maryland.

TRANSFER TAX NOT REQUIRED  
Director of Finance  
BALTIMORE COUNTY, MARYLAND  
Per *[Signature]*  
Authorized Signature  
Date *11/18/90* Sec. 11-85C

RECEIVED FOR TRANSFER  
\$100.00  
#15184 C004 R02 T0916  
01/14/91

ITEM #446

332  
Dorothy J. Gray  
STATE OF MARYLAND, CITY OF BALTIMORE TO WIT:  
I HEREBY CERTIFY, That on this 11th day of February, 1949, before me, the subscriber, a Notary Public of the State of Maryland, in and for the City aforesaid, personally appeared Henry F. Rose the above named Mortgagor, and he acknowledged the foregoing Mortgage to be his act.  
At the same time also personally appeared J. V. Chatterton, the Vice President of the within body corporate, Mortgagee, and made oath in due form of law that the consideration of said mortgage is true and bona fide as therein set forth; and also made oath that he is the agent of the Mortgagee and is duly authorized to make this affidavit.  
IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year aforesaid.  
(Notarial Seal) Dorothy J. Gray  
Dorothy J. Gray Notary Public.  
FOR VALUE RECEIVED, The White-Howray Company hereby assigns without recourse the within mortgage unto Prudential Insurance Company of America.  
WITNESS the signature of J. V. Chatterton, Vice President of The White-Howray Company, and its corporate seal hereto affixed, this 11th day of February, 1949.  
TEST:  
Dorothy J. Gray By J. V. Chatterton  
Dorothy J. Gray J. V. Chatterton, Vice President  
Sec Feb 19 1949 at 11:20 A M & Exd per T Haden Silcott Clerk (Sec by BIA)  
Exd by AJ&EH  
Folio 332 Liber 1728 Newark, New Jersey Jan. 3, 1949  
For value received, The Prudential Insurance Company of America hereby releases the within and aforesaid mortgage.  
Witness the corporate seal of the said body corporate and the signature of its Vice President.  
Witness: Janet Gostze The Prudential Insurance Company of America  
(Corporate Seal) By Graham Macmillan, Vice President  
Sec. Apr. 8, 1949 at 10:45 A M & Exd per Orville T. Gonnell, Clerk *[Signature]*

84268 Sarah Bosley Merryman et al : THIS DEED, Made this 1st day of February, in the year Deed to Theodore E Whiteley et al : one thousand nine hundred and forty-nine, by and US \$26.40 SS \$26.40 : between Sarah Bosley Merryman, (Sometimes known as Sara Bosley Merryman), Divorced, Elizabeth C. Bosley, Unmarried, and John Bosley III, and Barrington King Bosley, his wife, of Baltimore County, State of Maryland, of the first part, Grantors, and Theodore E. Whiteley and Bettie Whiteley, his wife, of Erie, Commonwealth of Pennsylvania, of the second part, Grantees.  
WITNESSETH, that in consideration of the sum of Five (\$5.00) dollars, and other good and valuable considerations, the receipt whereof is hereby acknowledged, the said Sarah Bosley Merryman (Sometimes known as Sara Bosley Merryman), Divorced, Elizabeth C. Bosley, Unmarried, and John Bosley III and Barrington King Bosley, his wife, do grant and convey unto the said Theodore E. Whiteley and Bettie Whiteley, his wife, as tenants by the entireties, their assigns, the survivor of them, his or her heirs and assigns, in fee simple, all those tracts or parcels

ITEM #446

FEE SIMPLE DEED - INDIVIDUAL GRANTOR AND GRANTEE - 40

This Deed, Made this 8th day of October

in the year one thousand nine hundred and eighty-five, by and between

Theodore E. Whiteley and Bettie Whiteley, his wife,

of the first part, and

Mary Elizabeth Whiteley, their daughter,

of the second part.

Witnesseth, that ~~the consideration of the sum of~~ as a gift and for no monetary consideration

the said Theodore E. Whiteley and Bettie Whiteley, his wife,

do hereby grant and convey unto the said Mary Elizabeth Whiteley, her

DEED 8 RCF 15.00  
EX JR T 15.00  
EX JR 15.00  
R09403 C004 R01 T1435  
05/02/86

heirs and assigns,

in fee simple, ~~all~~

Surveyor's description attached hereto and made a part hereof.

~~State of Maryland and described as follows, that is to say:~~

Beginning at ~~the~~

TRANSFER TAX NOT REQUIRED  
Director of Finance  
BALTIMORE COUNTY, MARYLAND  
Per *[Signature]*  
Authorized Signature  
Date *11/18/90* Sec. 11-85 C

RECEIVED FOR TRANSFER  
\$100.00  
#15184 C004 R02 T0916  
01/14/91

ITEM #446

FEE SIMPLE DEED LIBER 8692 PAGE 105

This Deed, Made this 13th day of August

in the year one thousand nine hundred and ninety, between  
THEODORE E. WHITELEY, by Theodore E. Whiteley, Jr., his Attorney in Fact, acting under and by virtue of a power of attorney dated May 2, 1990, hereinafter referred to, and BETTIE WHITELEY, his wife,

of Baltimore County, in the State of Maryland, of the first part,

and

THEODORE E. WHITELEY,

of the second part.

Witnesseth, That in consideration of the sum of ~~XXXXXXXXXX~~ and other good and valuable considerations, the receipt whereof is hereby acknowledged, THEODORE E. WHITELEY, acting under and by virtue of his attorney as aforesaid, and BETTIE WHITELEY

do grant and convey unto the said party of the second part, his personal representatives and assigns,

in fee simple, all that lot of ground situate, lying and being in

Baltimore County, State of Maryland, ~~XXXXXXXXXX~~

and described as follows, that is to say:

FOR DESCRIPTION, SEE ATTACHED.

RECEIVED FOR TRANSFER  
\$100.00  
#15184 C004 R02 T0916  
01/14/91

THIS IS TO CERTIFY that the within instrument was prepared by or under the supervision of the undersigned, an attorney duly admitted to practice before the Court of Appeals of Maryland.

*[Signature]*  
Attorney

TRANSFER TAX NOT REQUIRED  
Director of Finance  
BALTIMORE COUNTY, MARYLAND  
Per *[Signature]*  
Authorized Signature  
Date *11/18/90* Sec. 11-85 A

ITEM #446



# 10002-5711 BOUNDARY LINE AGREEMENT

THIS AGREEMENT, made this 14 day of August, 1993, by and between RAYMOND J. MAROCCO and PIO JOSEPH MAROCCO, co-partners, hereinafter "Maroccos," parties of the first part, and HENRY B. PECK, JR., Successor Trustee to NANCY W. SUSSMAN, ELIZABETH WHITELEY and THEODORE E. WHITELEY, JR., Trustees, hereinafter "Peck," party of the second part.

WHEREAS, the parties own adjacent tracts of land in the Tenth Election District of Baltimore County, Maryland, that belonging to Maroccos comprising 63.36 acres, more or less, and having been acquired by them under a Deed dated September 3, 1957 and recorded among the Land Records of Baltimore County in Liber G.L.B. No. 3222, folio 516 from George M. Hooper; and that belonging to Peck comprising 237.785 acres, more or less, and having been acquired by his predecessors in office, Nancy W. Sussman, Elizabeth Whiteley and Theodore E. Whiteley, Jr., Trustees, under a Deed dated August 13, 1990 and recorded among the Land Records aforesaid in Liber S.M. No. 8692, folio 189, from Theodore E. Whiteley; and

WHEREAS, a field survey commissioned by Peck of his property revealed a discrepancy in the common boundary line between the respective properties of Maroccos and Peck, which the parties wish to rectify by recording an agreement setting forth a course and distance which will hereafter be deemed to comprise the line of division between the two properties, wherefore these presents are executed.

NOW, THEREFORE, THIS BOUNDARY LINE AGREEMENT WITNESSETH, that in consideration of the premises and the sum of Five Dollars (\$5.00), each unto the other paid, the receipt and sufficiency of which are hereby acknowledged, Maroccos and Peck do hereby agree as follows:

1. That the common boundary line between their respective properties shall be as set forth and described in Exhibit A attached hereto and deemed to be a part hereof, and as depicted in Exhibit B attached hereto and deemed to be a part hereof. For title to Maroccos' property, see Deed dated September 3, 1957 and recorded among the Land Records of Baltimore County in Liber G.L.B. No. 3222, folio 516, from George M. Hooper to Raymond J. Marocco and Pio Joseph Marocco, co-partners, in fee simple. For title to the property of Peck, see Deed dated August 13, 1990 and recorded among the Land Records aforesaid in Liber S.M. No. 8692, folio 189, from Theodore E. Whiteley by Theodore E. Whiteley, Jr., his Attorney-in-Fact, to Nancy W. Sussman, Elizabeth Whiteley and Theodore E. Whiteley, Jr., Trustees under the Theodore E. Whiteley Deed of Trust dated August 13, 1990, and as confirmed by Confirmation of Deed of Trust by Theodore E. Whiteley dated June 7, 1991. See also Confirmatory Deed dated September 4, 1990 and recorded among the Land Records aforesaid in Liber S.M. No. 8692, folio 197, from Theodore E. Whiteley by Bettie Whiteley, his Attorney-in-Fact, to Nancy W. Sussman, Elizabeth Whiteley and Theodore E. Whiteley, Jr., as Trustees under the Theodore E. Whiteley Deed of Trust dated August 13, 1990, and as confirmed by Confirmation of Deed of Trust by Theodore E. Whiteley dated June 7, 1991. On November 13, 1991, in accordance with the provisions of the aforesaid Deed of Trust, as confirmed, the said Nancy W. Sussman, Elizabeth Whiteley and Theodore E. Whiteley, Jr., resigned as Trustees and appointed Henry B. Peck, Jr., as Successor Trustee who, under date of December 2, 1991, accepted the terms and conditions of the Theodore E. Whiteley Trust dated August 13, 1990, as confirmed, and agreed to perform all the duties and accept all the obligations therein imposed.

2. Maroccos do hereby grant, release and quitclaim unto Peck, his successors in office and assigns, any and all right, title and interest they may have in and to any property situate to the immediate west of the aforementioned line of division; and Peck does hereby grant, release and quitclaim unto the aforementioned line of division; and Peck does hereby grant, release and quitclaim unto

RECEIVED FOR TRANSFER

State Department of Assessments & Taxation

for Baltimore County

DATE 9-9-93

AGRICULTURAL TRANSFER TAX

NOT APPLICABLE

SIGNATURE [Signature] DATE 9-8-93

ITEM # 446

LIBER 10002 PAGE 77

# BOUNDARY LINE AGREEMENT

THIS AGREEMENT, made this 8 day of September, 1993, by and between BEULAH E. ADAMS, widow, of Baltimore County, Maryland, hereinafter "Adams," party of the first part, and HENRY B. PECK, JR., Successor Trustee to NANCY W. SUSSMAN, ELIZABETH WHITELEY and THEODORE E. WHITELEY, JR., Trustees, hereinafter "Peck," party of the second part.

WHEREAS, the parties own adjacent tracts of land in the Tenth Election District of Baltimore County, Maryland, that belonging to Adams comprising thirty and one-half (30 1/2) acres, more or less, and having been acquired by her under a Deed dated April 25, 1946 and recorded among the Land Records of Baltimore County in Liber R.J.S. No. 1433, folio 456 from William H. DeBusk and Elizabeth C. DeBusk, his wife to Julius J. Adams and Beulah E. Adams (the said Julius J. Adams having heretofore departed this life); and that belonging to Peck comprising 237.785 acres, more or less, and having been acquired by his predecessors in office, Nancy W. Sussman, Elizabeth Whiteley and Theodore E. Whiteley, Jr., Trustees, under a Deed dated August 13, 1990 and recorded among the Land Records aforesaid in Liber S.M. No. 8692, folio 189, from Theodore E. Whiteley; and

WHEREAS, a field survey commissioned by Peck of his property revealed a discrepancy in the common boundary lines between the respective properties of Adams and Peck, which the parties wish to rectify by recording an agreement setting forth courses and distances which will hereafter be deemed to comprise the lines of division between the two properties, wherefore these presents are executed.

NOW, THEREFORE, THIS BOUNDARY LINE AGREEMENT WITNESSETH, that in consideration of the premises and the sum of Five Dollars (\$5.00), each unto the other paid, the receipt and sufficiency of which are hereby acknowledged, Adams and Peck do hereby agree as follows:

1. That the common boundary lines between their respective properties shall be as set forth and described in Exhibit A attached hereto and deemed to be a part hereof, and as depicted in Exhibit B attached hereto and deemed to be a part hereof. For title to Adams' property, see Deed dated April 25, 1946 and recorded among the Land Records of Baltimore County in Liber R.J.S. No. 1433, folio 456 from William H. DeBusk and Elizabeth C. DeBusk, his wife to Julius J. Adams and Beulah E. Adams (the said Julius J. Adams having heretofore departed this life). For title to the property of Peck, see Deed dated August 13, 1990 and recorded among the Land Records aforesaid in Liber S.M. No. 8692, folio 189, from Theodore E. Whiteley by Theodore E. Whiteley, Jr., his Attorney-in-Fact, to Nancy W. Sussman, Elizabeth Whiteley and Theodore E. Whiteley, Jr., Trustees under the Theodore E. Whiteley Deed of Trust dated August 13, 1990, and as confirmed by Confirmation of Deed of Trust by Theodore E. Whiteley dated June 7, 1991. See also Confirmatory Deed dated September 4, 1990 and recorded among the Land Records aforesaid in Liber S.M. No. 8692, folio 197, from Theodore E. Whiteley by Bettie Whiteley, his Attorney-in-Fact, to Nancy W. Sussman, Elizabeth Whiteley and Theodore E. Whiteley, Jr., as Trustees under the Theodore E. Whiteley Deed of Trust dated August 13, 1990, and as confirmed by Confirmation of Deed of Trust by Theodore E. Whiteley dated June 7, 1991. On November 13, 1991, in accordance with the provisions of the aforesaid Deed of Trust, as confirmed, the said Nancy W. Sussman, Elizabeth Whiteley and Theodore E. Whiteley, Jr., resigned as Trustees and appointed Henry B. Peck, Jr., as Successor Trustee who, under date of December 2, 1991, accepted the terms and conditions of the Theodore E. Whiteley Trust dated August 13, 1990, as confirmed, and agreed to perform all the duties and accept all the obligations therein imposed.

2. Adams does hereby grant, release and quitclaim unto Peck, his successors in office and assigns, any and all right, title and interest she may have in and to any property situate to the immediate southeast and/or southwest of the aforementioned lines of division; and Peck does hereby grant, release and quitclaim unto Adams, her personal representatives and assigns, any and all right, title and interest in and to any property situate to the immediate northwest and/or northeast of the aforementioned lines of division; and Peck does hereby grant, release and quitclaim unto

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State Department of Assessments & Taxation

for Baltimore County

DATE 9-9-93

AGRICULTURAL TRANSFER TAX

NOT APPLICABLE

SIGNATURE [Signature] DATE 9-9-93

ITEM # 446

THIS DEED, made this 18 day of September, 1993, by and between MARY ELIZABETH WHITELEY, of the District of Columbia, Grantor, and HENRY B. PECK, JR., Successor Trustee to NANCY W. SUSSMAN, ELIZABETH WHITELEY and THEODORE E. WHITELEY, JR., Trustees, Grantee.

WHEREAS, Grantor and Grantee own adjacent parcels of land in the Tenth Election District of Baltimore County, Maryland, in the vicinity of Gerding Road; and

WHEREAS, a portion of Grantee's property consists of a fee simple access strip leading to Gerding Road which is too narrow to be of any practical use, it being less than six (6) feet in width; and

WHEREAS, Grantor owns property adjacent to the existing narrow access strip and has agreed to convey directly to Grantee a small parcel of her property containing 0.175 acre of ground, more or less, in the form of a strip of land which, when added to the strip owned by Grantee, will result in Grantee owning a 20-foot access strip; and in consideration of Grantor's agreement, Grantee is willing to convey a parcel of identical acreage elsewhere along the common boundary line between Grantor's property and Grantee's property so that the total acreage owned by each party before these conveyances will be identical to that owned by each party following these conveyances; and

WHEREAS, this conveyance is considered to be part of a property line adjustment between adjacent owners and has been approved as such by Baltimore County, Maryland, wherefore these presents are executed.

NOW, THEREFORE, in consideration of the premises and the sum of Five Dollars, there being no actual monetary consideration paid or to be paid in connection with this transfer, Grantor does grant and convey unto Grantee, her successors in office and assigns, in fee simple, all that parcel of ground situate, lying and being in the Tenth Election District of Baltimore County, Maryland, and more particularly described as follows:

BEGINNING for the same at a railroad spike, now set, in or near the center of Gerding Road and at the beginning of the sixth or North 12 degrees 56 minutes 15 seconds East 512.99 foot line of a parcel of land which by a deed dated October 8, 1985 and recorded among the Land Records of Baltimore County in Liber E.H.K. Jr. No. 7147, folio 795, was conveyed by Theodore E. Whiteley and wife to Mary Elizabeth Whiteley, their daughter, and running thence and leaving said Gerding Road and running with and binding on said sixth line and on a part of the seventh line of said parcel of land, as now surveyed, and as the courses are now referred to the Baltimore County Grid Meridian the two following courses and distances viz: North 4 degrees 13 minutes 23 seconds East 512.99 feet to a bar and metal cap marked "Gerhold-Cross-Eitel Property Marker P-3" and North 13 degrees 20 minutes 16 seconds West 47.09 feet, to a bar and metal cap marked "Gerhold-Cross-Eitel Property Marker P-3" thence leaving the said outlines and running for a line of division, now made in 1993, and as a part of a "Property Line Adjustment" as approved by Baltimore County, Maryland, South 4 degrees 13 minutes 33 seconds West 537.69 feet to a bar and metal cap marked "Gerhold-Cross-Eitel Property Marker P-3" in or near the center of Gerding Road and to intersect the fifth line of the aforesaid parcel of land which was conveyed by Whiteley to Whiteley and thence running with and binding on a part of said fifth line and binding in or near the center of Gerding Road, South 84 degrees 58 minutes 31 seconds East 14.21 feet to the place of beginning. Containing 0.175 of an acre of land more or less.

BEING a portion of the property which by Deed dated October 8, 1985 and recorded among the Land Records of Baltimore County in Liber E.H.K. Jr. No. 7147, folio 795 was granted and conveyed by Theodore E. Whiteley and Bettie Whiteley, his wife, to Mary Elizabeth Whiteley, in fee simple

TOGETHER with the buildings and improvements thereupon erected, made or being and all and every the rights, alleys, ways, waters, easements, privileges, appurtenances and advantages to the same belonging or in anywise appertaining

ITEM # 446

Recorded 9/20/93 SM 10021/413

THIS DEED, made this 18 day of September, 1993, by and between HENRY B. PECK, JR., Successor Trustee to NANCY W. SUSSMAN, ELIZABETH WHITELEY and THEODORE E. WHITELEY, JR., Trustees, Grantor, and MARY ELIZABETH WHITELEY, of the District of Columbia, Grantee.

WHEREAS, Grantor and Grantee own adjacent parcels of land in the Tenth Election District of Baltimore County, Maryland, in the vicinity of Gerding Road; and

WHEREAS, as will appear by reference to a Deed dated of even date herewith and recorded or intended to be recorded among the Land Records of Baltimore County immediately prior hereto, the parties agreed to exchange parcels of land of identical size, as a property line adjustment, in order to permit Grantor herein to have a twenty (20) foot wide fee simple access strip leading to Gerding Road; and

WHEREAS, by said Deed dated of even date herewith, Grantee herein did grant and convey unto Grantor herein a parcel of land containing 0.175 of an acre of land, more or less, and Grantee now desires to convey to Grantee a parcel of equivalent acreage, wherefore these presents are executed.

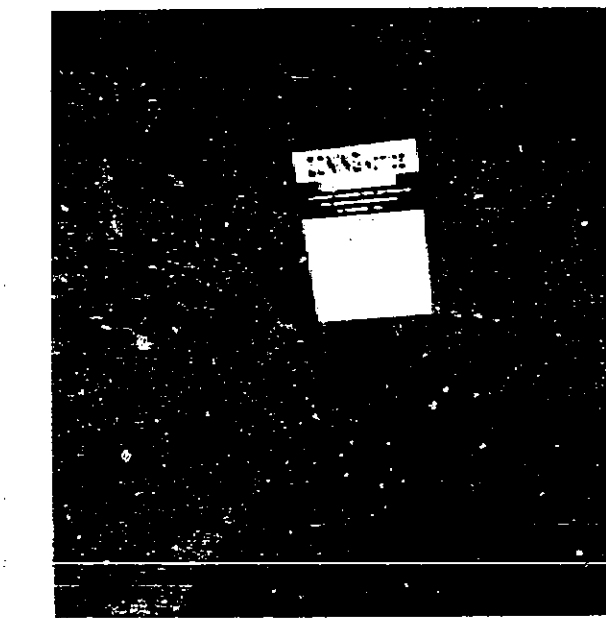
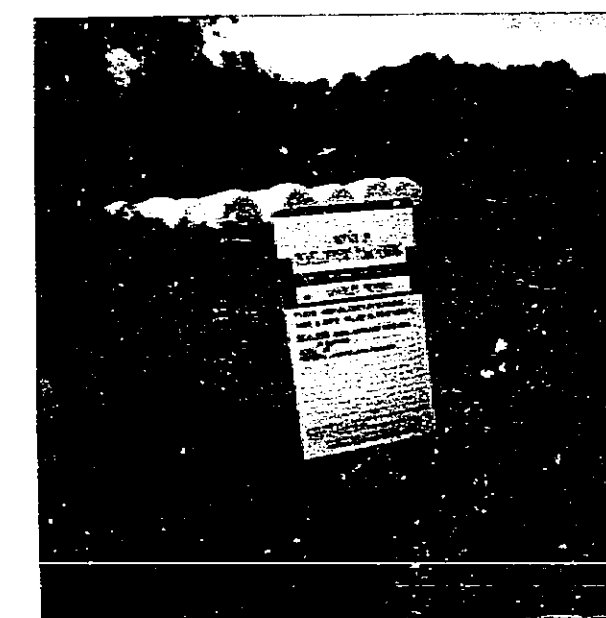
NOW, THEREFORE, in consideration of the premises and the sum of Five Dollars, there being no actual monetary consideration paid or to be paid in connection with this transfer, Grantor does grant and convey unto Grantee, her personal representatives and assigns, in fee simple, all that parcel of ground situate, lying and being in the Tenth Election District of Baltimore County, Maryland, and more particularly described as follows:

Beginning for the same at a pipe heretofore set at the beginning of the ninth or North 45 degrees 09 minutes West 252.40 foot line of a parcel of land which by a deed dated October 8, 1985 and recorded among the Land Records of Baltimore County in Liber E.H.K. Jr. No. 7147 folio 795 was conveyed by Theodore E. Whiteley and wife to Mary Elizabeth Whiteley, their daughter, and running thence with and binding on said ninth line and on a part of the tenth line of said parcel of land as now surveyed, and as the courses are now referred to the Baltimore County Grid Meridian the two following courses and distances viz: North 53 degrees 55 minutes 04 seconds West 252.20 feet to a pipe, heretofore set, and North 16 degrees 43 minutes 39 seconds West 99.81 feet to a bar and metal cap marked "Gerhold-Cross-Eitel Property Marker P-3" and thence leaving said outlines and running for a line of division, now made in 1993, and as a part of a "Property Line Adjustment" as approved by Baltimore County, Maryland, South 43 degrees 36 minutes 35 seconds East 337.15 feet to the place of beginning.

Containing 0.175 of an acre of land more or less.

For title, see Deed dated August 13, 1990, and recorded among the Land Records aforesaid in Liber S.M. No. 8692, folio 189, from Theodore E. Whiteley by Theodore E. Whiteley, Jr., his Attorney-in-Fact, to Nancy W. Sussman, Elizabeth Whiteley and Theodore E. Whiteley, Jr., Trustees under the Theodore E. Whiteley Deed of Trust dated August 13, 1990, and as confirmed by Confirmation of Deed of Trust by Theodore E. Whiteley dated June 7, 1991. See also Confirmatory Deed dated September 4, 1990, and recorded among the Land Records aforesaid in Liber S.M. No. 8692, folio 197, from Theodore E. Whiteley by Bettie Whiteley, his Attorney-in-Fact, to Nancy W. Sussman, Elizabeth Whiteley and Theodore E. Whiteley, Jr., as Trustees under the Theodore E. Whiteley Deed of Trust dated August 13, 1990, and as confirmed by Confirmation of Deed of Trust by Theodore E. Whiteley dated June 7, 1991. On November 13, 1991, in accordance with the provisions of the aforesaid Deed of Trust, as confirmed, the said Nancy W. Sussman, Elizabeth Whiteley and Theodore E. Whiteley, Jr., resigned as Trustees and appointed Henry B. Peck, Jr., as Successor Trustee who, under date of December 2, 1991, accepted the terms and conditions of the Theodore E. Whiteley Trust dated August 13, 1990, as confirmed, and agreed to perform all the duties and accept all the obligations therein imposed.

ITEM # 446



95-451-SRH

ITEM # 446

LIBER 10039 PAGE 111

CREATED: 10-23-2000

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State Department of Assessments & Taxation

for Baltimore County

DATE 9-28-93

AGRICULTURAL TRANSFER TAX

NOT APPLICABLE

SIGNATURE [Signature] DATE 9-28-93

THIS DEED, Made This 23rd day of September

In the year one thousand nine hundred and ninety-three, by and between HENRY B. PECK, JR., Successor Trustee to Theodore E. Whiteley, Jr., Nancy W. Sussman and Elizabeth Whiteley under the Theodore E. Whiteley Deed of Trust dated August 13, 1990 as confirmed by Confirmation of Deed of Trust by Theodore E. Whiteley dated June 7, 1991, of the first part, and GENERAL GERHOLD CROSS EITEL'S HOME OF BALTIMORE, a Maryland corporation, party of the second part

Witnesseth, That in consideration of the sum of NINE HUNDRED THIRTY-FIVE THOUSAND DOLLARS (\$935,000.00), and other good and valuable consideration, the receipt whereof is hereby acknowledged,

the said Grantor, pursuant to the powers vested in him,

do hereby grant and convey to the said Grantee, its

personal representatives, successors and assigns, in fee simple, all that lot of ground situate in Baltimore County, State of Maryland, and described as follows, that is to say:

FOR LOCAL DESCRIPTION, SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

RECEIVED FOR TRANSFER

State Department of Assessments & Taxation

for Baltimore County

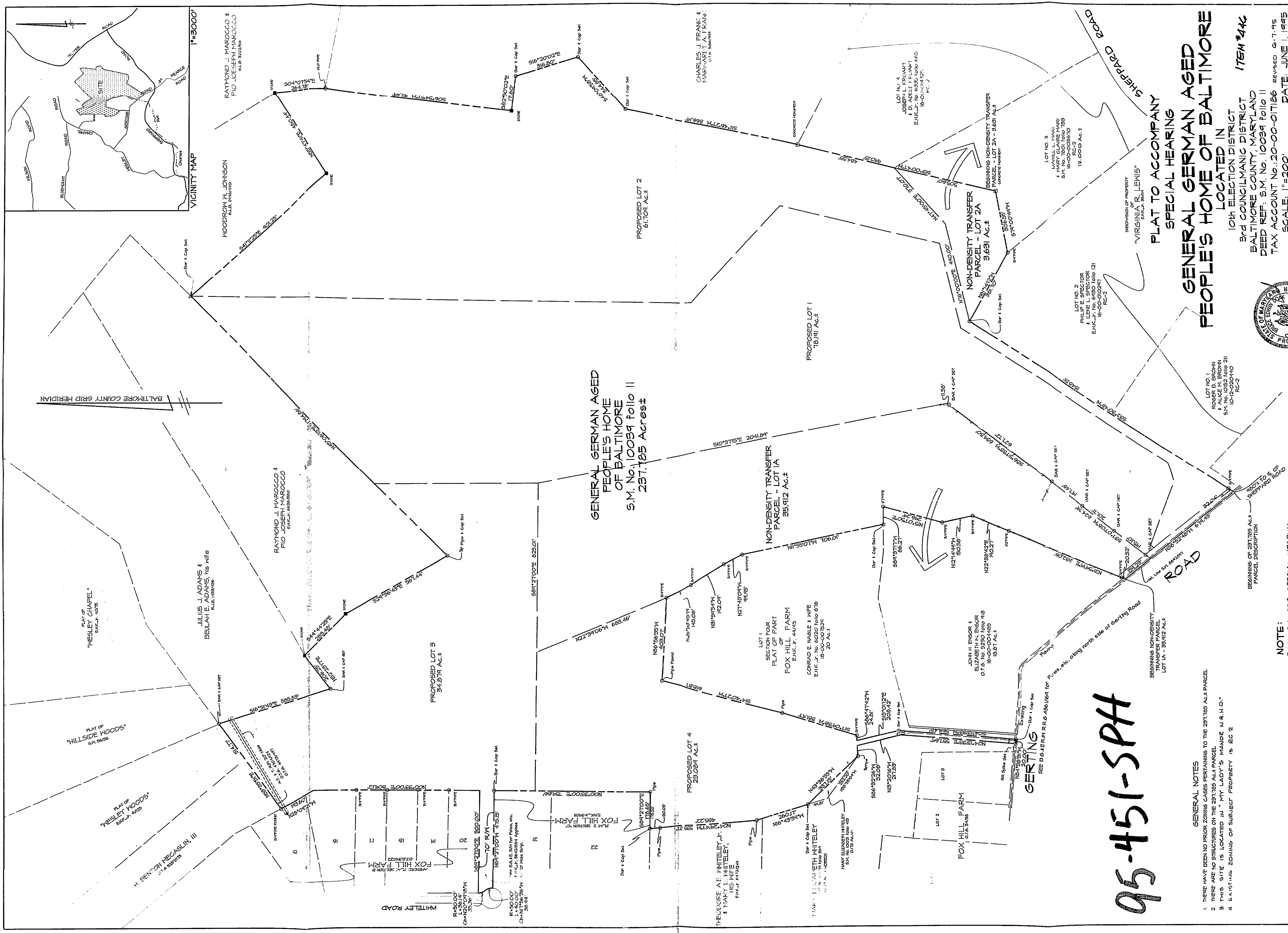
DATE 9-28-93

AGRICULTURAL TRANSFER TAX

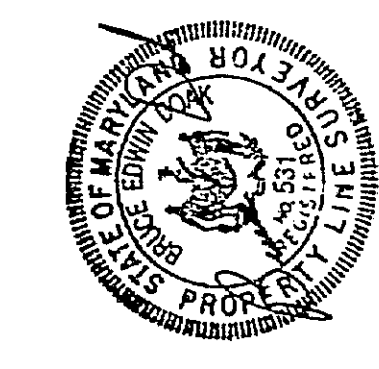
NOT APPLICABLE

SIGNATURE [Signature] DATE 9-28-93





**GERHOLD, CROSS & ETZEL, LTD**  
REGISTERED PROFESSIONAL LAND SURVEYORS  
Suite 100  
320 East Towson Boulevard  
Towson, Maryland 21286  
(410) 828-4470



SCALE IN FEET  
0 200 400 600  
1"=200'

**PLAT TO ACCOMPANY  
SPECIAL HEARING  
GENERAL GERMAN AGED  
PEOPLE'S HOME OF BALTIMORE  
LOCATED IN  
10th ELECTION DISTRICT  
3rd COUNCILMANIC DISTRICT  
BALTIMORE COUNTY, MARYLAND  
DEED REF. S.M. NO. 10039 folio II  
TAX ACCOUNT NO. 20-00-07186  
SCALE: 1"=200'  
DATE: JUNE 1, 1995**

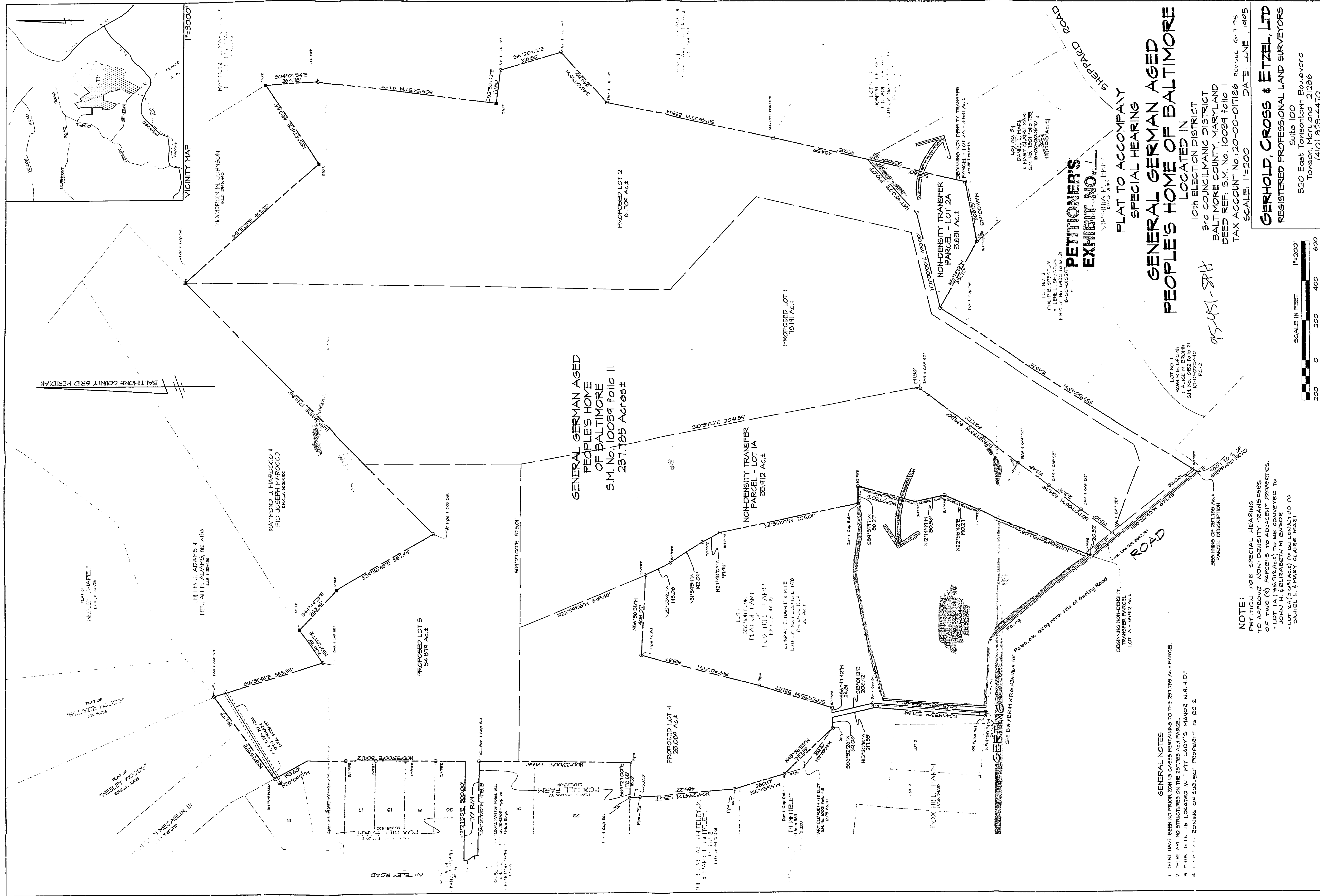
**NOTE:**  
PETITION FOR SPECIAL HEARING  
TO APPROVE NON-DENSITY TRANSFERS  
OF TWO (2) PARCELS TO ADJACENT PROPERTIES.  
- LOT 1A (34.87 AC.) TO BE CONVEYED TO  
- LOT 2A (61.04 AC.) TO BE CONVEYED TO  
DANIEL L. & MARY CLARE MAZEL

**GENERAL NOTES**  
1. THERE HAVE BEEN NO PRIOR ZONING CASES PERTAINING TO THE 237.185 AC. PARCEL.  
2. THERE ARE NO STRUCTURES ON THE 237.185 AC. PARCEL.  
3. THIS SITE IS LOCATED IN "MY LADY'S MANOR N.A.H.D."  
4. EXISTING ZONING OF SUBJECT PROPERTY IS B.C. 2.

95-451-SPH

95-451-SPH





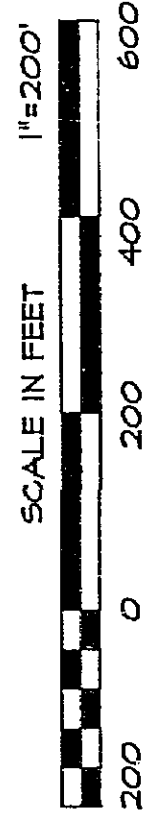
GENERAL NOTES

1. THERE HAVE BEEN NO PRIOR ZONING CASES PERTAINING TO THE 237.185 AC. PARCEL.
2. THERE ARE NO STRUCTURES ON THE 237.185 AC. PARCEL.
3. THIS SITE IS LOCATED IN "MAY LADY'S WANDER" A.R.A. D.O.
4. EXISTING ZONING OF SUBJECT PROPERTY IS EC-2.

NOTE:

FOR SPECIAL HEARING TO APPROVE NON-DENSITY TRANSFERS OF TWO (2) PARCELS TO ADJACENT PROPERTIES:

- LOT 1A (35.912 AC.) TO BE CONVEYED TO JOHN H. & ELIZABETH M. ENSOR
- LOT 2A (3.631 AC.) TO BE CONVEYED TO DANIEL L. EMERY CLARE MAREI



**GERHOLD, CROSS & ETZEL, LTD**  
REGISTERED PROFESSIONAL LAND SURVEYORS

Suite 100  
320 East Towsontown Boulevard  
Towson, Maryland 21286  
(410) 825-4470

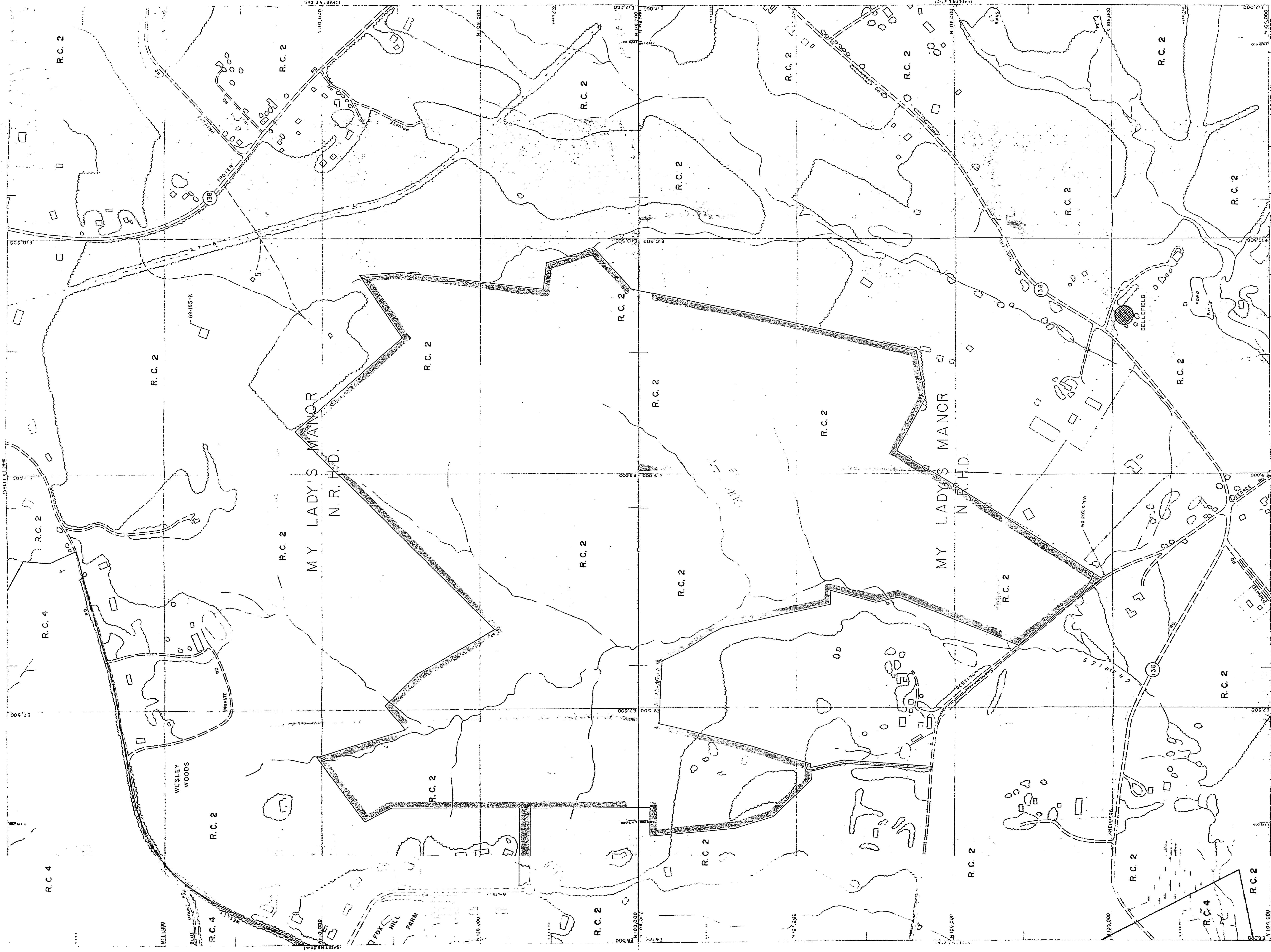
RECEIVED 6-7-95  
DATE: JUNE 1, 1995

**GERMAN AGED PEOPLE'S HOME OF BALTIMORE**  
LOCATED IN  
10th ELECTION DISTRICT  
3rd COUNCILMANIC DISTRICT  
BALTIMORE COUNTY, MARYLAND  
DEED REF. SM. NO. 10039 FOLIO II  
TAX ACCOUNT NO. 20-00-07186  
REVISED 6-7-95

**PETITIONER'S EXHIBIT NO. 1**  
PLAT TO ACCOMPANY  
SPECIAL HEARING

95-451-SHA





11-SW

THIS MAP HAS BEEN REVISED IN SELECTED AREAS  
TO CORRECT PHOTOGRAPHIC METHODS  
BY BICRAFT-HORN, INC. BALTIMORE, MD. 21210

1992 COMPREHENSIVE ZONING MAP  
Adopted by the Baltimore County Council  
Oct. 15, 1992

1998 COMPREHENSIVE ZONING MAP  
Adopted by the Baltimore County Council  
Dec. 15, 1998

SCALE  
1" = 200'

DATE OF PHOTOGRAPHY  
JANUARY 1985

LOCATION  
SOUTHWEST OF SHEPPERD  
ITEM # 446

95-451-SPH